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Friday, January 9, 1976
Pausa 19, 1897 (Saka)

LOK SABHA DEBATES

(Fifteenth Session)



(Vol. LV contains Nos. 1-10)

LOK SABHA SECRETARIAT
NEW DELHI

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LOK SABHA DEBATES

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LOK SABHA

Friday, January 9, 1976 Pausa 19,
1897 (Saka)

*The Lok Sabha met at Eleven of the
Clock*

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

Voluntary Disclosure Scheme

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*61. SHRI H. N. MUKERJEE:
SHRI HARI KISHORE SINGH:

Will the Minister of FINANCE be pleased to state:

(a) whether Government have collected a lot of money from Cine Artistes, Advocates, Industrialists, Trader and business magnate all over the country through Voluntary Disclosure Scheme; and

(b) if so, the particulars thereof?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). On the basis of the information presently available, tax payable in respect of declarations made under the Voluntary Disclosure Scheme works out to over Rs. 246 crores out of which over Rs. 154 crores has already been collected. Separate statistics profession-wise or trade-wise are not maintained. Further, 5 per cent of the voluntarily disclosed income and $2\frac{1}{2}$ of the wealth disclosed (in respect of the last assessment year for which declaration of wealth is made) is required to be invested in 5 3/4 Bonds. 1985.

1900 LS-1

SHRI H. N. MUKERJEE: Sir, in view of the fact that even on a very conservative estimate the extent of black money in this country can be taken to be Rs. 4,000 crores, being 1/10 of the national income of Rs. 40,000 crores, apart from the estimate projections made by the Wanchoo Committee, will the Government explain why deliberate, sustained and large scale tax evaders have been given a premium for dishonesty and treated so much more leniently than regular assessee and will Parliament have a clear assurance that none of the wealth and income revealed during recently widely published searches and seizures has been and will be permitted to be put on the list of voluntary disclosures and escape full legal assessment and penalty?

SHRI PRANAB KUMAR MUKHERJEE: Sir, so far as the quantum of black money in the country is concerned, it is known to the House that Wanchoo Committee have also dealt with the question. But the whole philosophy behind this scheme, as it has been explained, is to give an opportunity to a large section of the citizens to come back to the path of rectitude and to cleanse the economy. It is a fact that there is black money and operation of black money is distorting the economy to a great extent and we have taken various measures including intensification of the searches, seizures and raids by strengthening the tax laws and streamlining the procedures. At the same time it was found desirable, in the atmosphere which was created as a result of the intensification of searches and seizures, to give an opportunity to the tax evaders and we have made it a last chance for the tax evaders to come back to the path of rectitude. At the same time as

has been correctly pointed out by the hon. Member, the persons whose premises were searched and raided, could take the opportunity under Section 14(1) of the Scheme to come forward and make voluntary disclosure. At the same time, it was pointed out when the scheme was in operation, and I would like to reiterate it now, that searches, seizures and other measures to stop generation and operation of black money taken by the income-tax department will continue unabated.

SHRI H. N. MUKERJEE: In view of the Minister's assurance that he desires to bring these people back to the path of rectitude, may I know if it is found necessary to offer them concession after concession like immunity from confiscation and penalty under the Gold Control Act, Customs Act etc., dropping of all court proceedings for compulsory acquisition of immovable property, exemption from disclosing the nature and source of income declared, levy of tax not on the current value of assets declared but on the value at the time of acquisition as claimed in the declaration and absence practically of any challenge to the claims made by the declarants? In view of all these series of concessions having been given and in view of the tip of the iceberg having been touched, will Government consider it its duty to examine the position afresh and make sure of the steps which have to be taken?

SHRI PRANAB KUMAR MUKHERJEE: All the concessions are not new, though some may be new. We had some experience of the operation of the scheme in 1951 and 1965. Therefore, to make the scheme successful we had to give some concessions. When the ordinance comes before the House for discussion, we will have an opportunity to discuss it in detail. I do not know whether the Rs. 1529 crores of income disclosed is only the tip of the iceberg. As I said, it is after all a guess work as to what is the total quantum of black money operating in the country.

श्री नवास किशोर शर्मा: प्रध्यक्ष महोदय, मैं सरकार को और मंत्री जी को बधाई देना चाहता हूँ वालंट्री डिस्क्लोजर स्कीम में जो उन को सफलता मिली है उस के लिए। पर मैं यह जानना चाहता हूँ कि यह तो सही है कि अभी बद्रुत रूपया ब्लैक मनी का बाबी है और जो एक स्टेटमेंट अबवारों में आया है जिस के जरिए से अभी भी वालंट्री डिस्क्लोजर को प्रोत्साहन दिया जा रहा है उस स्टेटमेंट के क्या इम्प्लीकेशंस हैं? क्या अब भी डिस्क्लोजर करने वालों पर कोई कानूनी कार्यवाही नहीं होगी?

MR. SPEAKER: Will there be legal action against them or not?

SHRI PRANAB KUMAR MUKHERJEE: As I mentioned 1 in the radio broadcast which came out later on in the press, I indicated that even under the existing provisions of the tax laws, the disclosure scheme is there. If the assessee cooperates with the tax authorities and comes forward with voluntary disclosure of concealed income and wealth, there is discretionary power available with the authorities to exempt him from various penalties and prosecution proceedings. But they have to pay the taxes at the normal rates. About realisation of taxes, I have already said in my main reply that out of Rs. 246 crores of taxes payable on the income and wealth disclosed, Rs. 154 crores have already been realised.

SHRI N. K. P. SALVE: The Taxation Laws (Amendment) Act, 1973 passed in the last July session to implement the recommendations of the Wanchoo Committee was in fact intended to prevent generation and proliferation of black money. In that Act, the law was made extremely stringent so far as penalties, prosecutions, etc. were concerned. Soon thereafter the voluntary disclosure scheme came in complete defiance of the earlier recommendations of the Public Accounts

Committee that this sort of scheme should not be brought because they become excessively punitive to the honest man. On the one side we have such an excessively stringent legislation and on the other side we come to another legislation which puts a premium on dishonesty. Will the Government consider whether it is necessary to rationalise the tax laws themselves so that the dishonest people are not given a premium as compared to those who pay taxes honestly?

SHRI PRANAB KUMAR MUKHERJEE: Sir, how can I forecast about the tax structure before the Budget?

SHRI BHAGWAT JHA AZAD: In spite of all these legal advices and maximum opportunity given to these persons if they do not come forward to disclose their income, may I know from the Government, keeping aside these laws and advices, will they go for massive raids against these anti-social elements in the country? What do Government propose to do now? Don't extend the time further.

SHRI PRANAB KUMAR MUKHERJEE: As I have already indicated, 31st December was the last date and we have made it clear that there would not be any further extension of time. If they do not come to our house, we have to go to their houses. Therefore, I have indicated that all the various measures will continue unabated. The raids and seizures will go on.

भी राजावतार जाती : क्या सरकार कोई और प्रभावी कदम उठाने के सम्बन्ध में विचार कर रही है, जिस के द्वारा काले-धन को निकाला जा सके? मैं यह भी जानना चाहता हूँ कि सरकार के सामने 100 रुपये के नोट के बदल कर देने के रास्ते में कौन सी कठिनाई है? ऐसा करने से ज्यादा से ज्यादा काला धन निकल सकता है—क्या सरकार इस पर विचार कर रही है?

SHRI PRANAB KUMAR MUKHERJEE: So far as demonetisation is concerned, many a times we have said on the floor of this House that Government have no idea of demonetisation. At the same time, regarding the various measures which the hon. Members are suggesting, the latest amendment to the taxation laws passed in the monsoon session of Parliament, has strengthened the hands of the Department and even the legal provisions have become more stringent. I can mention just one. Quantum of punishment has been increased and courts option has been decreased to some extent.

Import of Textiles by U.K. from India

*62. SHRI RAJDEO SINGH: Will the Minister of COMMERCE be pleased state:

(a) whether the recent decision taken by the Bank of England to change the procedure for textiles imports from India has virtually suspended these imports and caused confusion in the textile trade;

(b) whether Government have assessed or enquired about the reasons thereof; and

(c) the present position in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) Exports to U.K. have not been suspended but some difficulties, mainly procedural, have been experienced in some sectors of textile export trade.

(b) Yes, Sir.

(c) The matter has been taken up with the Government of U.K. and a favourable decision is expected shortly.

SHRI RAJDEO SINGH: I want to know what were the procedural difficulties and whether this arises because of the reason that India which has an import quota into U.K. of 200 million sq. yards yearly, only 5 million sq. yards have been ordered in the first six months of the year?

SHRI VISHWANATH PRATAP SINGH: Procedural difficulties were like this that the Bank of England with the permission of the U.K. Government issued a circular to its banks that letters of credit should be opened only when import licences have been issued. Now this created special problem for the handloom products because an import licence in U.K. is given only after the Textile Committee in India has issued a certificate. And this certificate is issued after inspection of the goods which is done just very near when the shipment is to be made. This creates a bottleneck. Recently an official delegation had a meeting with their U.K. counterparts and they have agreed that licences will be issued against the contracts made. And we hope that an official decision will be announced shortly by the U.K. Government and that this would solve the problem. As regards the quantum of exports, I suppose that the non-fulfilment of quota cannot be a reason for imposing more restrictions. In fact, there were large imports from other countries also; and this prompted the U.K. Government to take some defensive action in which also, the procedure hit India.

SHRI RAJDEO SINGH: Was there an agitation by the British textile producers against imports; and, as a result of the delay in exports from this country, did they get an excuse to pacify the agitators and control imports?

SHRI VISHWANATH PRATAP SINGH: Yes; there was domestic pressure in U.K. but the pressure was there not because of less of exports from

other countries. Various countries were exporting more and, therefore, the domestic industry was being hurt. As far as this is concerned, may I correct some of the notions of the hon. Members? Perhaps he is labouring under the impression that we have not completed our quotas.

MR. SPEAKER: I think you need not go into details. He had asked about procedures and you have answered him.

Decision to enhance the Price of Standard Cloth

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***66. SHRI SARJOO PANDEY:**
SHRI A. K. GOPALAN:

Will the Minister of COMMERCE be pleased to state:

(a) whether Government have taken a decision to enhance the price of standard cloth and suspend the production of cheap cloth; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) and (b). No enhancement of price of standard cloth has been decided. The production of the controlled cloth has been suspended in proved case of weak mills on account of the accumulation of cloth with them and consequent impact on their operational economies.

श्री सर्जू पांडे: मध्यकालीन, अमीर मंत्री जी ने यह कहा है कि स्टैण्डर्ड कपड़े के दाम बढ़ाने का अभी कोई विचार नहीं है। दूसरी बात उन्होंने यह कही कि सस्ते कपड़े और कल्पनालॉड कलाइय का बहुत ज्यादा एकुमुलेशन हो गया है, इस लिये इस के बजाने पर अभी रोक लगाई गई है। लेकिन, मध्यकालीन, अभी भी हम देखते हैं कि चारों तरफ बढ़त सारे गांवों में सस्ता कपड़ा नहीं मिल रहा है। कम से कम उत्तर प्रदेश में तो हर ज्यादा इस बात की शिकायत है। दूसरी तरफ मिल-

मालिक कह रहे हैं कि हमारे पास कपड़ा जमा हो गया है। मैं सरकार से पूछना चाहता हूँ कि ऐसा क्यों हो रहा है, आप सस्ते कपड़े को गांवों में क्यों नहीं भेज रहे हैं? मिल-मालिक तो ऐसा इसलिये कह रहे हैं कि उन को इस कपड़े पर मुनाफ़ा कम हो रहा है, इस लिये वे सरकार पर दबाव डालना चाहते हैं।

SHRI VISHWANATH PRATAP SINGH: All efforts are being made to increase the number of outlets. So far as the quantum of outlets in the rural and other areas are concerned, there has been an increase; and as a result of Government's efforts, the outlets have increased from 15420 in rural areas and 3549 in urban areas as at the end of June 1974, to 21,654 and 6,214 respectively as at the end of March 1975.

श्री सरजू पांडे : क्या यह बात सही है कि मिल वाले मूठा बहाना बना कर—सस्ता कपड़ा हमारे पास बहुत ज्यादा हो गया है—सरकार से इस पर रोक लगवा रहे हैं?

SHRI VISHWANATH PRATAP SINGH: No. Sir. As I have stated earlier, Government have not suspended the production of controlled cloth as such; and the industry is still under obligation to produce controlled cloth. It is only the weaker mills and the NTC mills, because of their special financial condition, that have been temporarily allowed to suspend production of controlled cloth.

SHRIMATI ROZA DESHPANDE: Is it a fact that the cheap cloth produced is such that people decline to buy it, and is Government thinking of giving the people better cloth at a cheaper rate which they would buy, so that there would not be stockpiling, especially with the NTC?

SHRI VISHWANATH PRATAP SINGH: There were complaints about the quality of controlled cloth before March, 1975 and after that, action was taken and the quality standard was made more stringent. After the improvement in quality, the stock position has come down. Stock of controlled cloth in April, 1975, which stood at 153.5 million square metres has come down in September to 116.87 million square metres. That shows that with the improvement of the quality, the product has become acceptable to the consumer. So far as the price of controlled cloth and making it available at cheaper prices to the consumer are concerned, the Marathe Committee has been set up and it is going into it. We have asked the Committee to submit its report soon.

श्री राम तिह भाई : क्या मंत्री जी के ध्यान में यह बात प्राप्ती है कि जो आप ने स्टैन्डर्ड क्लास 40 रीढ़ और 40 पीक का ठहराया है वैसा न बन कर 36 रीढ़ और 36 पीक का बनता है जिस की बजह से वह नहीं खरीदा जाता है और इसलिये स्टाक जमा हो रहा है?

SHRI VISHWANATH PRATAP SINGH: I have already answered the question by saying that with the improvement of the quality, the cloth is more acceptable to the consumer now.

SHRI P. M. MEHTA: What was the monthly target of production fixed for coarse and cheap cloth and what is the production after the decision to give concession to the weak mills and the mills run by the NTC?

SHRI VISHWANATH PRATAP SINGH: The target for the production of controlled cloth was fixed on 1st April, 1974, at eight million square metres. As for the present production, I do not have the recent figures with me. On getting the information, I can pass it on to the Member.

श्री गंगा सिंह: क्या सरकारके ध्यान में यह बात है कि जो लोग कंट्रोल का कपड़ा खरीद सकते हैं उन को कंट्रोल का कपड़ा खारब बालिटी होने के बाद भी नहीं मिलता है और वह कपड़ा ब्लैक मार्केट में जाता है। क्या सरकार आने प्रबन्ध को ठीक करेगी जिस से कंट्रोल का कपड़ा जिनको मिलना चाहिए उनको पहुंचाया जा सके, उन को मालूम हो सके कि यह कपड़ा उन के लिये है। आज जाड़े का मौसम है, लाखों आदमी कपड़े के लिये तरसते हैं और कपड़ा उन को मिलता नहीं है। यहां दिल्ली में बैठ कर हम लोग बात करते हैं लेकिन जब गांव में पहुंचते हैं तो जो मंत्री जी जबाब दे रहे हैं उस में और वास्तविकता में जमीन आसमान का अन्तर पाते हैं। माननीय मंत्री जी का गांव से सम्बन्ध है, मैंने कई बार उन से कहा है कि आप जरा जा कर के देखें कि स्टेट गवर्नर्मेंट और सेन्ट्रल गवर्नर्मेंट के प्रबन्ध में कितना फॉक है जिस की बजह से सारा इंतजाम गडबड हो रहा है। क्या इस को ठीक करने के लिये सरकार कोई प्रबन्ध करेगी? क्या केन्द्रीय सरकार खुद गांव तक कपड़ा पहुंचाने का प्रबन्ध करेगी?

श्री विश्वनाथ प्रताप सिंह: मान्यवर, कंट्रोल के कपड़े के वितरण के संबन्ध में राज्य सरकारों को कुछ गाइड लाइन्स केन्द्रीय सरकार ने दिये हैं और उन्हीं गाइड लाइन्स में यह निश्चित करने के लिये कि गरीब तबके के लोग कपड़ा पायें, जैसा कि माननीय सदस्य चाहते हैं, राशन कार्ड के भाष्टार पर कपड़ा वितरण करने के लिये तथा जिन की आमदानी 400 रु से कम है उन को कपड़ा दिया जाय तथा भर्ज-गहरी इलाके जो कि 15 से 20 हजार की आबादी से ज्यादा हैं वहां पर इस कपड़े की विक्री के केन्द्र खोले जायें, इस की व्यवस्था है। जो चिन्ता

माननीय सदस्य ने व्यक्त की है वही चिन्ता हरकार की भी है और राज्य सरकारों के साथ पूरा सहयोग करके जितना भी सम्भव हो सकेगा सदैव प्रयास करते रहेंगे।

Impact of Foreign Exchange Regulation Act on Foreign Companies

*67. SHRI C. K. CHANDRAPPAN: Will the Minister of FINANCE be pleased to state:

(a) whether the operational aspects of Foreign Exchange Regulation Act towards the foreign companies have been reviewed;

(b) if so, whether Government are considering dilution of the foreign equity by further modification; and

(c) if so, its likely impact on export earnings?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHTAGI): (a) to (c). Applications of foreign companies etc. covered by Section 29 of the Foreign Exchange Regulation Act, 1973 are being dealt with in terms of the Guidelines issued for the administration of this Section of the said Act. A copy of these guidelines was laid on the Table of the Lok Sabha on the 20th December, 1973.

The operation of the guidelines on Section 29 of the Foreign Exchange Regulation Act is under Government's constant review to see whether any changes are called for keeping in view the overall objectives of Foreign Exchange Regulation Act.

SHRI C. K. CHANDRAPPAN: The Government's policy in this regard is said to be to bring down the foreign equity holding to 40 per cent of those companies who hold majority foreign shares. I would like to know from the hon. Minister whether it is a fact that the response regarding the proposals called for by the Reserve Bank

of India from the foreign companies in regard to dilution of the foreign equity was very poor; and if so, the facts thereof.

SHRIMATI SUSHILA ROHATGI: Sir, it is about two years ago, when the guidelines were framed and since then various operational activities have already come to the notice of the Government. Moreover, they have also received representations from the various Ministries and various other quarters. Therefore, recently, all these matters have been under the consideration of the Government.

SHRI C. K. CHANDRAPPAN: I do not know whether you are happy or..

MR. SPEAKER: He wants to know the response; whether it is poor.....

SHRIMATI SUSHILA ROHATGI: Which response?

MR. SPEAKER: Anyway, you can ask the question again.

SHRIMATI SUSHILA ROHATGI: May I request the hon. Member to repeat the question?

MR. SPEAKER: He wanted to know the guidelines that were issued first. He wants to know whether the response of these companies was poor or adequate.

SHRI C. K. CHANDRAPPAN: I think I can repeat the points. The Reserve Bank of India wanted the foreign majority share holding companies to submit their proposals regarding dilution of the foreign equity. The Government's policy is to bring down the foreign equity holding to 40 per cent either in one stroke or in stages taking into account the nature of the operations of the company. It seems that the total response of these subsidiaries of the multinationals is very poor.

MR. SPEAKER: That is what I said. Is the response poor or something else?

SHRIMATI SUSHILA ROHATGI: I have nothing to say whether it is poor or very good. It is entirely under the consideration of the Government.

SHRI C. K. CHANDRAPPAN: I am reading out from page 13 of the *New Age* dated December, 21, 1975. It says:

"Reports upto March 31 this year indicate that 19 foreign companies went in for Indianisation through the process of additional equity share issue of disinvestment of current foreign holdings.

In the process these companies offered Rs. 2,349 lakh including the premium of shares of Rs. 916 lakh through the Indian capital market."

I would like to know from the hon. Minister whether these multi-national corporations are mounting pressure through their lobby to achieve their objective of scuttling the policy of the Government in the name of their export earnings which are supposed to be very meagre and, if so, what the Government propose to do about it.

SHRIMATI SUSHILA ROHATGI: The RBI has already issued letters of intent to 217 companies. I leave it to the hon. Member to say whether it is poor or otherwise. About the other question which he asked just now, I would like to say that the Government is not operating under any pressure at all. I think, only in today's newspapers, the Minister of Industrial Development has categorically said something to that effect. The Government is not working under any pressure at all.

DR. RANEN SEN: In 1973, the Reserve Bank of India asked the foreign companies to gradually Indianise their equity capital. May I

know why in the last two years, in 1974 and 1975, the four foreign companies which are producing most non-essential goods, worthless goods, in India, namely, the Coca Cola Export Corporation, the Cadbury Fry, the Cheesbury Pond. The Colgate and Palmolive and even the Hindustan Lever Ltd. are not being forced to bring down the equity capital to 40 per cent. They are producing non-essential goods which can be produced in our country and which are being produced by Indian companies. The resistance of these foreign companies is preventing the growth of Indian sector. I would like to know why the Government is not forcing these foreign companies to bring down the equity capital to 40 per cent.

SHRIMATI SUSHILA ROHATGI: It is a big question. May I request the hon. Member to put it to the Ministry directly concerned with the industrial development?

SHRI H. N. MUKHERJEE: It is a very specific question which arises as a natural supplementary from the Question already asked. The Minister should be able to reply the question. She might ask permission from you, Sir, to give the reply later on. That is a different matter.

MR. SPEAKER: Has the Minister got any information about those companies?

DR. RANEN SEN: The Reserve Bank of India is under her Ministry. Why should I ask the Ministry of Industrial Development?

MR. SPEAKER: She does not seem to have the information at the moment.

SHRI INDRAJIT GUPTA: The question put by my hon. colleague, Dr. Ranen Sen, has not been answered or is not capable of being answered by the Minister. Nevertheless, I would like to ask a question. For example in the case of one of the foreign com-

panies mentioned just now, that is, the Coca Cola Export Corporation, which has hundred per cent foreign equity, I would like to know why even in such an outstanding case which has been mentioned on the floor of the House many times, the Government has not taken firm steps to see that their equity is diluted to the extent of 40 per cent. This is going on for the last two to three years. But nothing has been done. We are entitled to get some satisfaction in this House instead of evasion of replies every time.

SHRIMATI SUSHILA ROHATGI: It is not my intention to evade any reply. When I replied to the hon. Member, I said that this came specifically under the Industrial Development Ministry. At the same time, I said, all these things are under the consideration of the Government. Probably, the question of these four companies which have been mentioned will also be there.

MR. SPEAKER: Have you got any information about the Coca Cola Export Corporation?

SHRIMATI SUSHILA ROHATGI: I have no specific information on that.

SHRI K. LAKKAPPA: I would like to put the same question in a different way....

MR. SPEAKER: Not the same question but another question.

SHRI K. LAKKAPPA:....to make it more relevant which the hon. Minister would be able to answer. I want to know whether the Reserve Bank of India has any control over the foreign companies operating here and remitting their profits back to their homes, thereby completely collapsing the economy of our country and, if so, what are the regulations, controls and discipline that the Reserve Bank of India is exercising over these companies?

SHRIMATI SUSHILA ROHATGI: It is a very relevant question and I have said that precisely these are the questions which the Reserve Bank looks after and, even if the question arises from that, they are all under consideration.

Deposits in and Credits advanced by Nationalised and other Banks

*69. **SHRI BHOGENDRA JHA:** Will the Minister of FINANCE be pleased to state the latest position of the 14 banks nationalised and those left in the private sector including foreign banks in July 1969, with regard to the

total deposits and credits advanced and how does it compare with the figures for July, 1969?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): Data regarding deposits and advances of the public sector banks, including the 14 nationalised banks, and the private sector scheduled commercial banks in India as on the last Friday of June 1969 and December 19, 1975 are set out below:—

(Rs. Crores)

	Deposits		Advances	
	June 1969	19th Dec., 1975	June, 1969	19th Dec., 1975
A. Public Sector Banks	3871	11264	3017	8168
(i) SBI Group	1239	3816	1185	2826
(ii) 14 Nationalised Banks	2632	7448	1832	5342
B. Private Sector Banks	775	2122	582	1417
(i) Indian scheduled Commercial Banks	297	1263	197	808
(ii) Foreign Banks	478	859	385	609
All Scheduled Commercial Banks (A+B)	4646	13386	3599	9585

MR. SPEAKER: This should have been laid on the Table of the House.

SHRI PRAAB KUMAR MUKHERJEE: I understand it should have been laid on the Table of the House, but I will try to help the Hon'ble Members if they will kindly listen to me. I understand it contains so many figures and it should have been laid on the Table of the House, but....

AN HON. MEMBER: The question should be postponed because we

would like to ask supplementaries on this question.

MR. SPEAKER: The question is postponed to the next day.

Complaints from Indian Airlines Passengers

*71. **SHRI K. LAKKAPPA:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether he is aware of the complaints of the passengers with re-

gard to food served to them and the delays of service on routes served by the Indian Airlines; and

(b) if so, what remedial measures have been taken so far in the matter?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a) and (b). Indian Airlines discontinued serving hot meals on board its aircraft in April, 1974 and started serving snacks instead. Keeping in view suggestions and complaints made by passengers, the composition of snacks was changed, once in August, 1974 and again in April, 1975. Complaints received are duly looked into, and the need to exercise quality control constantly emphasised.

Regarding delays in services, although there have been some complaints, the average on-time performance of Indian Airlines improved from 45.16 in 1973 to 68.43 in 1975.

SHRI K. LAKKAPPA: Mr. Speaker, Sir, the answer that was given by the Hon'ble Minister is not satisfactory. The other things are that the Hon'ble Minister has of course brought a certain discipline in the Department, but I don't know what has happened to the Ministry regarding serving of food on the flights and also regarding delay. I would like to quote a certain example. Right now he has stated that hot food will not be served on the flight....(Interruptions). They take their own time and it is such food that no passenger will eat it. It is a deplorable situation on the flight. It is not that we are all sick people who are travelling on the flight: we are all healthy people and it is three-and-a-half hours from Bangalore to Delhi and you will find that at the time of Dinner, every passenger is missing. And you know, Sir, that we people want Vada, Upma, Dosa, etc. Even in the vegetarian food, no South Indian dishes are served. Similarly

in the northern sector, no North Indian dishes are served. Therefore, in the various sectors, when we travel we find that something is wrong with the catering company. The catering company which is operating has been supplying all stale food, hopeless food, and is advising the Ministry in this manner. Therefore, I would like the Ministry to go into all these aspects, so that the travelling passengers are fully satisfied.

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): The hon. Member asked me, 'What do you mean by hot meal?' Hot meal is served hot and is called hot meal as opposed to, or distinguished from, cold meal. (Interruptions). If meals cannot be served hot in winter season, it will not suit the taste. With all respect, I would say that our experience has been that in respect of meals there has been a vast range of variety and quality demanded. We made all possible efforts to satisfy all tastes and when we could not after a good deal of deliberation and consideration we thought that, apart from the wastages involved, we should not serve meals and conform to the generally accepted practice in respect of domestic airlines world over. So practically all over the world, most of the domestic airlines do not serve hot meals; they serve 'snacks, tea and coffee. That is exactly what we want to conform to. We do not claim that we are serving meals at meal time. We are only serving snacks. I do realise that Mr. Lakkappa has been inconvenienced sometimes. But I would like to point out that out of four lakh cases of snacks served, we had only '78 complaints. I will not go by the percentage of the complaints. I would say that any suggestion that is offered for improvement of snacks will be gladly accepted. He has spoken of vadas, idlies and dosas. What we are doing is, we serve continental breakfast invariably which is the ad-

cepted form of breakfast and different snacks at other times.

SHRI INDRAJIT GUPTA: Stale bread.

SHRI RAJ BAHADUR: As I said, I will be grateful for any suggestion. They are all public sector concerns.(Interruptions). It may sometimes happen; I admit. It depends on the quality of material supplied to us. We have got Chefair which is a public sector concern; we have got the International Airports Authority which is serving meals; we have got the Connemara Hotel which serves in Madras side. We will certainly consider any suggestion which is given to us.

SHRI K. LAKKAPPA: My second question is this. In view of the largely accepted fact that a deplorable situation exists in this regard, I would like to suggest to the Ministry whether they could go into all the aspects of it, including the working of the catering company, by having a small committee. All the tastes can be reflected on the flight for the convenience of the travelling passengers. It would also attract more passengers. If you provide a tasty food on the flight, that will be an attraction for passengers. I am just making this suggestion, whether the hon. Minister would accept a small Committee going into all the aspects, including the working of the catering company.

SHRI RAJ BAHADUR: I at once accept the suggestion made by him for a small Committee of the Members of Parliament to go into the whole question. I would very much welcome it. But let me inform the House that, when we adopted the snack system we informed the Consultative Committee which consists of 40 Members. We laid samples of the varieties of snacks, etc., that we were going to offer before the members. It was after their approval that we really introduced the snacks.

Secondly, I would beg of this House, taking into account the enormous wastage of food, taking into account the varieties demanded by different sections of people in regard to quality and items of food, not to ask us to revert back to the old practice of serving hot meals—because that is really wasteful and it is hardly possible to satisfy all tastes.

SHRI A. K. SEN: Nobody is demanding hot food. The hot food was not either palatable or fresh in the olden days and I am not objecting to it. None of us would be objecting to a fare of good snacks. But I can tell you. Yesterday I was travelling from Bombay. The snacks which were served were absolutely inedible and I returned both the plates. I thought of bringing one to the House to show....

SHRI S. M. BANERJEE: Instead of that, you should have laid it on the Table of the House.

SHRI A. K. SEN: It is lawful. I do not know who caters. They have neither any taste nor have they any imagination. I think a committee should go into it and advise the government.

MR. SPEAKER: The Minister has already accepted it and I think the committee will look into it.

SHRI RAJ BAHADUR: May I ask him the number of the flight by which he travelled from Bombay?

SHRI A. K. SEN: It is impossible to go on complaining.

SHRI INDRAJIT GUPTA: Will the Minister be made to travel by every flight....

AN HON. MEMBER: Incognito.

SHRI INDRAJIT GUPTA:....and made to eat what is served?....(Interruptions).

Profits of Public Limited Companies

*72. DR. RANEN SEN: Will the Minister of FINANCE be pleased to state:

(a) whether a study conducted by Reserve Bank of India of 1650 medium and large non-financial, non-Government public limited companies had shown profits for 1973-74 as nearly one thousand crores of rupees; and

(b) if so, the reaction of Government in view of the repeated cry by big industrial houses regarding the industry's economic difficulties and "demands needed relief"?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) and (b). The gross profit during the 1973-74 of 1650 medium and large non-financial non-Government public limited companies was Rs. 991 crores as compared to Rs. 827 crores in 1972-73. The comparatively higher level of profits in 1973-74 was partly attributable to the inflationary trends obtaining in that year. The reversal of the inflationary trend in 1974-75 had posed problems of adjustments for a number of industries, leading to demands for relief. Government, therefore, decided to make a careful review of the existing industrial situation and announced on November 13, 1975, a package of measures to stimulate production in certain vital sectors of industry, but within the overall framework of continued emphasis on fiscal and monetary discipline.

DR. RANEN SEN: May I know whether the Government are aware of the fact that the employers, on the plea that there are difficulties in their industry, are resorting to lay-off, retrenchment, lock-out, etc., whereas in the last one year, viz., 1973-74 their profits soared to nearly Rs. 1,000 crores which was a 20 per cent rise over the previous period and the rate of growth both in the value of pro-

duction and the total income of these companies has increased and this has led to their profits rising very sharply? May I know whether the Government is going to take steps so that the wheels of production continue and the employers are not able to resort to closure, lay-off, etc.?

SHRIMATI SUSHILA ROHATGI: The Government is taking every step and is constantly reviewing. I agree with the hon. Member there that the wheels of progress in the industry should not be in any manner allowed to revert or stagnate in any case. But so far as the profits are concerned, much of this, as I have explained in the reply to the question, is largely due to the inflationary trends. Therefore, we should not look into the gross profits alone but also the net profits and there we find that the profit is not so much, though it is there. They have promised and the Government is aware and would not allow any measure through which they can increase their profits in a manner which is not conducive to industrial growth.

DR. RANEN SEN: Is it known to the Government that the employers plead that there is recession in the country whereas we find that the employers themselves are raising the prices of commodities resulting in a sort of scarcity in the market and also buyers' resistance. The buyers are not in a position to purchase the goods. In view of this, have the government, in the interests of the industry and in the interests of the common people, devised any method to bring down the prices of industrial goods to a reasonable level?

SHRIMATI SUSHILA ROHATGI: I think the hon. Member will agree that the twin demands of the industry have always been (1) a reduction in the excise duty and (2) relaxation of the credit restrictions. All these we are aware of and the government are trying to take very strong measures and we find that they have had

an effect. When these new measures were taken, all the points mentioned by the hon. Member that production should increase and also the employment situation does not deteriorate, were taken into consideration and will always be taken into consideration.

SHRI S. M. BANERJEE: Government shamelessly reduced the quantum of bonus from 8 1/3 per cent to 4 per cent. Whether action will also be taken by the Government to reduce the fabulous known profits. I am talking of known profits and about the un-known profits we do not know.

SHRIMATI SUSHILA ROHATGI: I do not agree that the Government shamelessly reduced that. It was for capital formation and building up investment for industry in the country that the Government took the decision. I do not agree. If there are un-known profits, we have voluntary disclosure scheme, package programme of the anti-inflationary measures. On luxurious living all these things have their effect. I am sure Government will not rest here and will take all the measures that are necessary to unearth black money as has been pocketed by these people.

SHRI DINESH CHANDRA GOSWAMI: May I know from the hon. Minister whether the statistics of profits which she has placed before this House are the statistics given by the entrepreneurs and if so, has the Government made any effective check on these figures to see whether the statistics are correct or not? It is apparent from the voluntary disclosures itself that the statistics given by the entrepreneurs cannot be wholly correct. Has the Government made any assessment? And if such assessment has been made will the Government tell us what is the difference between the assessment made by the Government and the statistics given by the private entrepreneurs.

SHRI VASANT SATHE: They depend on the balance sheet.

SHRIMATI SUSHILA ROHATGI: I do not think so. Anyway, we will give the information.

MR. SPEAKER: Q. No. 73.

SHRI DINESH CHANDRA GOSWAMI: My question has not been answered.

MR. SPEAKER: I have already gone to the next question.

सहारनपुर (उत्तर प्रदेश) से बस्तुओं का नियंता

*73. श्री मुल्की राज सेनी : क्या वाणिज्य मंत्री यह बताने की कृपा करेगे कि:

(क) क्या उत्तर प्रदेश में सहारनपुर लकड़ी की नकाराती का केन्द्र है और वहाँ से इस सामान का नियंता किया जाता है;

(ख) वर्ष 1973-74 और वर्ष 1974-75 के दौरान ऐसे कितने मूल्य के सामान का नियंता किया गया; और

(ग) क्या सरकार का विचार ऐसे सामान का नियंता बढ़ाने के लिये एक योजना बनाने का है?

वाणिज्य मंत्रालय में उपमंत्री (श्री विश्वनाथ प्रताप सिंह) :

(क) जी हाँ।

(ख) वर्ष 1973-74 तथा 1974-75 में लकड़ी से बनी हस्तशिल्प की बस्तुओं के नियंता क्रमशः 6.37 करोड़ रु० तथा 6.83 करोड़ रु० के रहे।

(ग) हस्तशिल्प की बस्तुओं के उत्पादन के विकास तथा नियंता संबंधित की पहले से चल रही योजनाएँ सहारनपुर

के लकड़ी के उत्पादों के सम्बन्ध में भी लागू है।

श्री मुख्य राज सेन्यो: जो सवाल पूछा गया था, माननीय मंत्री जी ने उसके बारे में माना है कि वहां पर लकड़ी की नक्काशी का काम होता है। लेकिन जो निर्यात के आंकड़े बताये गये हैं वह सारे देश के बताये गये हैं। मैं यह जानना चाहता हूँ कि सहारनपुर से लकड़ी की नक्काशी का सामान वर्ष 1973-74 और वर्ष 1974-75 में कितने निर्यात किया गया है और साथ ही वह कौनसी योजना है जो प्रोत्साहन देने के लिये लगू की गई है?

SHRI VISHWANATH PRATAP SINGH: The exports of wooden handicrafts from Saharanpur constitute 75 per cent of our total exports from the country. The figures have been roughly worked out. We do not keep statistics locationwise or regionwise. As far as promotional activities for giving impetus to the exports of wooden handicrafts are concerned, we have import entitlements for wooden work. It is about 10 per cent of the f.o.b. and cash assistance for handicrafts is about 10 per cent. Then we have air freight subsidy which works at Re. 1 per kg. or 5 per cent of f.o.b. value of export whichever is less and then we have development and export promotional schemes. A sum of Rs. 107.22 lakhs and Rs. 160 lakhs was provided during 1974-75 and 1975-76 respectively. Apart from this we have training schemes, exhibition, publicity and propaganda schemes and co-operative marketing facilities.

श्री मुख्य राज सेन्यो: जो कुल सामान निर्यात होता है, उसका 75 प्रतिशत सहारनपुर से होता है, ऐसा माननीय मंत्री जी ने बताया है। यह सामान तैयार करने

वाली काटेज इंडस्ट्रीज और स्माल इंडस्ट्रीज हैं जिनमें बहुत छोटे और गरीब आदमी लगे हुए हैं। अभी सरकार ने बुनकरों के लिये विशेष अनुदान और सहायता की बात कही है। क्या सरकार इस लकड़ी पर नक्काशी का काम करने वालों के लिये भी कोई अनुदान और सहायता की योजना बनायेगी।

SHRI VISHWANATH PRATAP SINGH: It is a suggestion for action.

SHRI PARIPOORNANAND PAINULI: The Minister admitted that 75 per cent of the wooden crafts are exported from Saharanpur alone. May I know from the Minister whether there is some research and development wing in his Ministry and if so what is the amount that is allotted in the fifth plan for this purpose?

SHRI VISHWANATH PRATAP SINGH: HHEC looks after all handicrafts which includes wooden crafts. The allocation in Fifth Plan is proposed to be of the order of Rs. 280 lakhs. It will not be possible at the moment to get break-up for wooden crafts alone.

SHRI VASANT SATHE: Our handicrafts are very popular in western and advanced countries and when orders come they come in millions. Millions and millions of a particular variety are demanded. And, because this is a small-scale industry which is not geared or equipped to meet such a demand, within two or three months, new varieties come into vogue and we are not able to exploit export market fully. Has the Government any scheme by which we can meet the estimated demand of handicrafts?

SHRI VISHWANATH PRATAP SINGH: This is a very pertinent question. This requires two efforts. One is design input of the foreign market and so far as this is concerned,

We have asked the HHEC to go into it and we hope that that will have an effect. And so far as the second aspect is concerned, namely, increasing the production base, this is being given serious consideration and we are making all efforts to increase our production.

Service Conditions in various Units of I.T.D.C.

*75. SHRI JHARKHANDE RAI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether officers in India Tourism Development Corporation and in its various units are being governed by uniform pay scales and service conditions; and

(b) whether steps have been taken to make uniform pay scales, conditions of service and fringe benefits for workmen categories also?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) and (b). India Tourism Development Corporation is a multi-industry organisation engaged in highly competitive business, spread over several regions and governed by different State/Central Statutes and subject to the region-cum-industry practices. In the circumstances, it is not easy to have absolute uniformity in pay scales, general conditions of service, allowances and fringe benefits for officers and staff working in various industries of varying sizes in different regions of the country. The position is however being reviewed from time to time to rationalise and harmonise pay scales to the extent possible.

श्री ज्ञारक्षण्डे रायः क्या माननीय मंत्री जी यह बतायेंगे कि उनको समय-समय पर इन कर्मचारियों और प्रधिकारियों की ओर स मांग-पत्र और प्रार्थना पत्र मिलते रहे हैं

कि उनके साथ उस स्थान विशेष के अनुसार भी व्याय नहीं किया जाता है और उनको वे मुद्रियायें नहीं दी जाती हैं जो केन्द्रीय सरकार के कर्मचारियों को स्थान विशेष पर मिलती हैं। इन सब के बारे में केन्द्रीय सरकार के कर्मचारियों के मुकाबले में जो इन लोगों के साथ भेदभाव किया जाता है उसके सुधार के लिये क्या सरकार ने कोई कार्यवाही की है ?

श्री सुरेन्द्रपाल सिंहः शिकायतें तो अक्सर आती हैं, लेकिन ऐसा नहों है कि जो पेस्केल सेंट्रल गवर्नरेंट एम्पालाइज को मिल रहा है या इनको मिल रहा है उसमें कोई ज्यादा अन्तर हो। कोशिश वह की जाती है कि जो पेस्केल और सर्विस कंडीशन प्रीवेल करती रही हैं, वही उनको मिलती रहे।

WRITTEN ANSWERS TO QUESTIONS

Airlifting of Birds by Air India

*63. SHRI SAT PAL KAPUR: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether in October, 1975 more than 2000 exotic birds airlifted from India were dead on arrival at London's Heathrow airport; and

(b) the facts thereof and the steps taken in the matter?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a) and (b). In October 1975, approximately 2000 exotic birds airlifted by Air-India for shipment to London on their flight Delhi/Bombay/Kuwait/London were found dead on arrival at Heathrow airport, London. In accordance with the laid down procedures the Cargo Flight Handling Section at Santa Cruz had sent a message to Kuwait and London indicating the air way bill numbers and the number of cages of live birds, on board and their weight. This was

followed by a load signal addressed to Kuwait airport and London airport specifically indicating the presence of live birds in hold of aircraft. Messages sent by Santa Cruz Flight Handling Section were received at Kuwait airport but the handling agents at Kuwait overlooked the message and also the presence of live birds in the hold of the aircraft. After the aircraft landed at Kuwait there was also a bird ingestion in one of the engines requiring engine change due to which the flight to London was delayed by 32 hours. Owing to long delay and extreme heat, the birds could not survive. Air-India's handling agents at Kuwait have expressed regrets and offered sincere apologies. They have assured that similar instances would not be permitted to occur in future.

Air-India have taken disciplinary action against their airport staff stationed at Kuwait whose negligence acted as a contributory factor. Further investigation is in progress to find out whether any other staff was involved. Air-India are reviewing procedures for handling live stock and bird consignments and have pending this review, stopped accepting such consignments.

Inflationary Trend in Indian Economy

***64. SHRI Y. ESWARA REDDY:**
SHRI S. A. MURUGANANTHAM:

Will the Minister of FINANCE be pleased to state:

(a) whether the inflationary trend in the Indian economy is still persisting;

(b) if so, the reasons and the facts thereof; and

(c) what is its effect on prices?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHTAGI): (a) to (c). No, Sir. The wholesale Price Index (1961-62=100), which touched a peak of 330.7 for the week ended September 21, 1974, showed a declining ten-

dency thereafter. There has been a fall of 10.6 per cent between that date and December 20, 1975, and of 8.6 per cent over the year ended December 20, 1975. This was the combined result of the anti-inflationary measures taken last year, the declaration of the Emergency and launching of the 20-point Economic Programme, and the improved outlook for production this year, both in the agricultural and the industrial sectors. However, although inflationary pressures have thus been brought under control, the need for maintaining a careful watch over the situation remains as great as ever.

Seminar on Problems of Tea Industry held at Gauhati

***65. SHRI D. K. PANDA:** Will the Minister of COMMERCE be pleased to state:

(a) whether a Seminar on problems of Tea Industry was held at Gauhati in December, 1975;

(b) whether Government have received a copy of the consensus reached at the Seminar; and

(c) whether Government have considered the same?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) No, Sir.

(b) and (c). Do not arise.

Purchase of Leather Shoes and Chappals through S.T.C.

***68. SHRI B. S. BHAURA:** Will the Minister of COMMERCE be pleased to state:

(a) whether a three-member delegation of Soviet experts had come to India to negotiate contracts for the purchase of leather shoes and chappals through S.T.C.; and

(b) if so, the results thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):
(a) Yes, Sir.

(b) Following contracts for the purchase of leather shoes and chappals through State Trading Corporation were signed:

Items	Qty.
Leather shoes	850000 prs.
Chappals	300000".

Impact of Voluntary Disclosure Scheme on Prices

70. SHRI N. K. SANGHI: Will the Minister of FINANCE be pleased to state:

(a) the percentage of the floating money netted by Government as a result of the disclosures through Voluntary Disclosure Scheme; and

(b) the impact of the scheme on prices?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):
(a) The Government have not made any estimate of black-money in circulation in the country. It is consequently difficult to indicate the percentage thereof collected as a result of the disclosures under the Voluntary Disclosure Scheme.

(b) The Scheme is expected to have a favourable impact on the price level.

Implementation of 20-Point Economic Programme relating to Ministry of Finance

*74. SHRI S. M. SIDDAYYA: Will the Minister of FINANCE be pleased to state how far the 20-point economic programme of the Prime Minister as it relates to his Ministry has been implemented so far?

1900 LS—2.

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): A statement is placed on the Table of the House.

Statement

The 20-point Economic Programme includes inter-alia the following items which are of direct concern to the Ministry of Finance:—

- I. Strict economy in Government expenditure;
- II. Special squads for evaluation of conspicuous construction and prevention of tax evasion. Summary trials and deterrent punishment for economic offenders;
- III. Special legislation for confiscation of smugglers' properties;
- IV. Income tax relief to middle class-exemption limit placed at Rs. 8000.

The Ministry of Finance have taken specific measures for their speedy implementation as per following details.

Item (I): Government have, for quite some time, been aware of the need to exercise strict control over expenditure so as to keep deficit financing to the minimum and thus to keep inflationary pressures under check. In this connection orders had issued to the various Ministries/Departments and the efforts to effect economy have been intensified under the 20-point programme. The economy measures cover ban/restriction on creation of new posts, filling up of vacancies and engagement of additional staff; strict economy in office expenditure; reduction in overtime payments; restriction on tours by officials; reduction in the frequency of foreign delegations and restrictions on expenditures on telephones, consumption of electricity etc.

Item (II): As envisaged, the special squads for the detection of unaccounted investment in the construction of luxury houses were appointed in the cities of Bombay, Calcutta, Madras.

Delhi and 7 other cities. They continued to be in existence upto early October when the voluntary disclosure scheme was announced. The estimated undisclosed investment/under-valuation reported for the property already valued is over Rs. 17 crores.

The Law Commission had recommended that punishment that can be awarded for certain tax offences should be increased, and that the severity of the maximum punishment should be made to depend on the relative seriousness of the offence judged from its repetitive nature or the extent of loss sought to be caused to the exchequer. These recommendations have been accepted and several provisions relating to tax offences under the Income-tax Act and Wealth Tax Act have been amended through the Tax Laws (Amendment) Act, 1975 so as to make the penalties more stiff involving as they now do prescription of rigorous imprisonment, minimum period of imprisonment and withdrawal of discretion vested in the courts to award monetary punishment as an alternative to imprisonment or to reduce the term of imprisonment below the prescribed minimum.

Item (III): The Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Ordinance was promulgated on 5th November, 1975. This Ordinance provides for the forfeiture of illegally acquired properties of persons engaged in smuggling activities, foreign exchange manipulators and their relatives and associates. The term 'property' includes both movable and immovable property. The burden of proving that any property is illegally acquired is on the person affected. Initially, three competent officers of the rank of Joint Secretaries to the Government of India are being appointed under the Act on a regional basis at Delhi, Bombay and Madras.

Item (IV): Under the Finance (Amendment) Act, 1975, the exemption limit for personal Income-tax has been raised from Rs. 6,000 to Rs. 8,000.

The rate of Income-tax on the first slab of income upto Rs. 8,000 was fixed at nil and the rate of Income-tax on the new slab of Rs. 8,001—Rs. 15,000 fixed at 17 per cent. As a result 7.3 lakh tax payers went out of the tax range. Another 7.3 lakh tax payers having taxable income ranging between Rs. 8,000 to Rs. 15,000 get a benefit of Rs. 45 to Rs. 264. About 4.4 lakh tax payers having taxable income exceeding Rs. 15,000 benefit to the extent of Rs. 44.

In addition to the above steps taken towards the implementation of the 20-point Programme, the Ministry of Finance have been following a credit policy designed to keep the inflationary pressures in check while assisting the production and distribution of essential commodities. The investment climate has also been sought to be improved through such measures as amendment of the Companies (Temporary Restriction of Dividends) Act 1974 and relaxation of the frequency test for issue of bonus shares. Steps to encourage investment by non-resident Indians have also been announced and private remittances during 1975-76 are expected to be more than double of those in 1974-75.

Demand from Automobile and Ancillary Manufacturers for Reduction in Taxes

*76. SHRI RAJA KULKARNI: Will the Minister of FINANCE be pleased to state:

(a) whether the Automobile and Ancillary manufacturers in the country have made representation to Government for reduction in taxation and for other reliefs with a view to meet the situation arising out of slump in demand for passenger cars and trucks; and

(b) Government's reaction thereto?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING

(SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). Yes, Sir. The Government have taken no decision.

Agreement between India and France

*77. **SHRIMATI PARVATHI KRISHNAN:** Will the Minister of COMMERCE be pleased to state:

(a) whether an agreement has been reached recently with the visiting French Minister for Foreign Trade for expansion of trade and economic cooperation with France and the European Economic Community;

(b) if so, the main features thereof; and

(c) how far this would help us in earning foreign exchange from abroad?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) to (c). During the visit of the French Minister of Foreign Trade recently discussions were held by him in various Ministries on the possibilities of expanding trade and economic co-operation between India and France. At the conclusion of the visit only a summary of conclusions was signed by Minister (Commerce) and the French Minister for Foreign Trade on 17th December, 1975.

The main features of the conclusions are:—

- (1) Though there has been rapid growth in volume of trade, it could be further increased.
- (2) A technical mission from France would visit India for exploring possibilities of the development of trade exchanges, joint ventures, sub-contracting and all other forms of co-operation including joint ventures in third countries.
- (3) Views were exchanged on the various facilities granted by

the EEC to the developing countries and improvement thereof.

(4) Favourable prospects existed for co-operation in the field of energy, telecommunication, transport, petroleum, chemicals, electronics, mines and data processing.

It is difficult to estimate the earnings of foreign exchange at this stage as these are all in the nature of mutual suggestions/proposals only.

Opening of Rural Banks in Villages

*78. **SHRI M. KALYANA SUNDARAM:** Will the Minister of FINANCE be pleased to state:

(a) whether Government have opened a number of rural banks in villages to bring credit facilities to the rural poor who are no more under village money-lenders; and

(b) if so, how many such banks were opened in villages in 1975?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). In the context of implementation of debt relief measures in the rural areas under the twenty point economic programme, Government are establishing Regional Rural Banks in areas which while having adequately served by the existing institutional credit agencies like Cooperatives and commercial banks. Six such banks were established in 1975, each one covering one or more districts.

Trade Agreement between India and Poland

*79. **SHRI R. R. SINGH DEO:**
SHRI VIRBHADRA SINGH:

Will the Minister of COMMERCE be pleased to state:

(a) whether a trade agreement has been signed with the Government of Poland in December, 1975; and

(b) if so, the main features of the agreement?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) No Trade Agreement was signed with Poland in December, 1975. A Trade Protocol was signed on the 29th November, 1975 under the Indo-Polish long-term Trade Agreement.

(b) It has been agreed that the Trade Protocol envisages a turn-over between India and Poland of the order of Rupees 260 crores in 1976.

Poland has agreed to import from India many non-traditional products like cotton knitwear and hosiery, rayon and synthetic fabrics, various chemicals, machine tools, hand tools, pig iron and Consumer durables, in addition to the traditional products like oilcakes, iron ore, hides and skins, tea, coffee, pepper and textiles.

India's main imports from Poland will include Mining Equipment, Fertilizers, Sulphur, Castings & forgings, Pharmaceuticals etc.

Profit earned by Public Sector Hotels

***80. SHRI M. KATHAMUTHU:** Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have earned more profits in public sector hotels during 1974-75; and

(b) if so, the facts thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) and (b). Yes Sir. The net profits of 12 hotels being run by the India Tourism Development Corporation, a public sector undertaking, increased from Rs. 26.40 lakhs during 1973-74 to Rs. 72.97 lakhs during 1974-75.

Aid received from Organisation of Petroleum Exporting Countries

323. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of FINANCE be pleased to state whether any aid or loans have been received from the organisation for Petroleum Exporting Countries after ten per cent rise in price of crude oil?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): No aid has been received from the O.P.E.C. as such.

Setting up of Branches of S.B.I. and Nationalised Banks in Himachal Pradesh

324. PROF. NARAIN HAND PARA-SHAR: Will the Minister of FINANCE be pleased to state:

(a) the names of the places where the State Bank of India or the nationalised banks propose to set up their branches in Himachal Pradesh during the year 1976; and

(b) whether preference would be given in setting up of such branches in the rural areas?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) Branch expansion work is undertaken by the banks within the framework of three year rolling plans. Reserve Bank are currently engaged in the examination of the branch expansion plans of the public sector banks for the three years 1976-78. They have, however, reported that as at the end of November 1975, public sector banks, including the 14 nationalised banks, had on hand 27 licences/allotments for opening branches in Himachal Pradesh. The names of the centres to which these licences/allotments relate, are indicated in the attached statement.

(b) Yes, Sir. Reserve Bank of India have advised all the commercial banks

that while drawing up the three year rolling plans for branch expansion, they should ensure that a large number of offices are proposed in unbanked/underbanked rural and semi-urban areas, particularly in the districts having population per bank office exceeding 75,000 as at the end of June, 1975.

Statement

District	Name of the centre
Bilaspur	Berthiin Jhanduta
Chamba	Chamba (2 offices) Udepur Pangi (Kilar)
Kangra	Ranital Bankhandi Nirmand Dharamshala Kandroori Ani
Kulu	Kulu Patli Kuhl
Mandi	Chail Chok Sundar Nagar (2 offices) Mandi
Simla	Kiari
Sirmur	Rajban Shillai Sanghra Nahrn
Solan	Saproon Parwanoo
Una	Una Amb

Report of the Fact Finding Sub-Committee of Tea Board on Replantation Subsidy given to Gaya Ganga Tea Estate

325. **SHRI A. K. KISKU:** Will the Minister of COMMERCE be pleased to state.

(a) whether the Fact Finding Sub-Committee of the Tea Board on replantation subsidy given to Gaya Ganga Tea Estate has submitted its Report;

(b) if so, the names of the members of the Sub-Committee and the main features of the Report; and

(c) the action taken up-to-date on the basis of the Report?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) The three members constituting the Sub-Committee submitted three separate reports.

(b) and (c). The members constituting the Sub-Committee were Shri B. K. Das Choudhury M.P., Shri L. M. Pradhan, Member, Tea Board and Shri G. P. Goenka, Member, Tea Board. According to Shri B. K. Das Choudhury's Report, a total area of 33.71 to 38.41 hectares was uprooted in 1973 and 1974 but no uprooting was done between 3-8-72 and 28-12-72. Shri Pradhan reported that there was no evidence of uprooting of tea areas measuring 153.40 hectares in between May, 1972 and December, 1972 nor even till 16-1-75 when they visited the garden. Shri Goenka, in his report, had stated that since observations of both Shri Das Choudhury and Shri Pradhan were based on purely visual inspection the facts are to be fully ascertained. He recommended deferring further action until Survey Report from the State Government is received. At the request of Tea Board, a survey of the concerned areas of the Tea Estate was undertaken by the West Bengal Government on the basis of settlement records of revisional settlement operation undertaken prior to 1966. On receipt of the survey report, Tea Board had asked Messrs. Mintri Tea Co., owners of Gaya Ganga Tea Estate to refund the amount paid as subsidy along with interest.

चाय, काफी तथा काजू का निर्यात

326. डा० सर्वभीनारायण पांडेय : क्या चायिल्य मंत्री यह बताने की कृपा करेंगे कि:

(क) उन देशों के नाम क्या हैं जिनको भारत से चाय, काफी तथा काजू का निर्यात किया जाता है;

(ख) वर्ष 1973-74 की तुलना में यह दो वर्षों के दौरान इनके निर्यात में बढ़ि हुई है अथवा कमी हुई है; और

(ग) यदि कमी हुई है तो उसका कारण क्या है और निर्यात बढ़ाने हेतु क्या कदम उठाये जा रहे हैं?

चायिल्य मंत्रालय में उपमंत्री (श्री विष्वनाथ प्रताप सिंह) :

(क) चाय, काफी और काजू का निर्यात प्रधानतः निम्नलिखित देशों को किया जाता है:

चाय: ब्रिटेन, सोवियत संघ, अफगानिस्तान, संयुक्त अरब गणराज्य, संयुक्त राज्य अमरीका और सूडान।

काफी: सं० रा० अमरीका, कनाडा, ब्रिटेन, सोवियत संघ, तथा अन्य पूर्व यूरोपीय देश, आस्ट्रेलिया, इराक, कुवैत और यूरोपीय आर्थिक समुदाय के देश।

काजू: कनाडा, सं० रा० अमरीका, सोवियत संघ, जापान, ब्रिटेन, आस्ट्रेलिया और नीदरलैंड।

(ख) और (ग). पिछले दो वर्षों में चाय और काफी के निर्यातों में मात्रा तथा मूल्य दोनों दृष्टियों से बढ़ि हुई है। काजू के निर्यातों में भी मूल्य की दृष्टि से बढ़ि हुई है यद्यपि मात्रा की दृष्टि से अप्रैल-अक्टूबर, 1973 के मुकाबले अप्रैल-

अक्टूबर, 1975 में निर्यातों में थोड़ी गिरावट आई है जिसका कारण यह है कि हमारे परम्परागत श्रोतों से कच्चा काजू अपेक्षाकृत कम मिलता है। सरकार के कच्चे काजू का अतिरिक्त भण्डार हासिल करने के लिये उनसे सहयोग की मांग की है। इसके अतिरिक्त राज्य सरकारों और कृषि मंत्रालय से परामर्श करके देश में काजू के विकास के लिये दीघीवधि उपाय निकाले जा रहे हैं।

एक अध्ययन व विकी दल मध्य पूर्व देशों को भेजा जा रहा है, जहां काजूओं के हमारे निर्यातों में विस्तार की गुंजाइश है।

भारत की यात्रा करने वाले विदेशी पर्यटकों की संख्या

327. श्री हुकम चन्द कछाय : क्या पर्यटन और नागर विभानन मंत्री यह बताने की कृपा करेंगे कि जून 1975 से दिसम्बर 1975 तक भारत आने वाले पर्यटकों की संख्या कितनी थी और 1974-75 की तुलना में यह कितनी है?

पर्यटन और नागर विभानन मंत्रालय में राज्य मंत्री (श्री सुरेन्द्र पाल सिंह) : जून-दिसम्बर, 1974 के दौरान भारत आये विदेशी पर्यटकों की संख्या 260,040 थी जबकी इस के मुकाबले में 1975 की अवधि के दौरान यह 282,214 रही और इस प्रकार 8.5 प्रतिशत की बढ़ोतरी हुई।

Multinational Companies

328. SHRIMATI ROZA DESHPANDE: Will the Minister of FINANCE be pleased to state:

(a) whether the multinational companies, operating in the country, have mounted a concerted offensive to

dilute the provisions of the Foreign Exchange Regulation Act, 1973; and

(b) steps taken by Government to arrest this?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) No, Sir.

(b) Does not arise.

Survey in Orissa by Industrial Reconstruction Corporation of India

329. SHRI P. GANGADEB: Will the Minister of FINANCE be pleased to state:

(a) whether a survey is proposed to be conducted in Orissa by the Industrial Reconstruction Corporation of India for development of hilly regions of the State; and

(b) if so, when will the work begin and report of the Scheme submitted to Government?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) No, Sir. The Industrial Reconstruction Corporation of India Ltd. does not conduct such surveys.

(b) Does not arise.

Opening of Branches of Nationalised Banks in Faizabad Division of U.P.

330. SHRI R. K. SINHA: Will the Minister of FINANCE be pleased to state:

(a) the total number of branches of nationalised banks opened in Faizabad division of Uttar Pradesh during 1975 to help poor farmers, artisans and small entrepreneurs along with their locations; and

(b) the number of such branches of nationalised banks proposed to be opened there during the year 1976?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) Reserve Bank of India have reported that during the period January 1, 1975 to November, 30, 1975, public sector, banks, including the 14 nationalised banks, opened 9 offices in Faizabad Division of Uttar Pradesh comprising the Districts of Faizabad, Baharaich, Barabanki, Gonda, Pratapgarh and Sultanpur. The names of the centres, at which these offices were opened, are given in the attached statement.

(b) Branch expansion work is undertaken by the banks within the framework of three-year rolling plans. Reserve Bank are currently engaged in the examination of the branch expansion plans of the public sector banks for the three years 1976-78. They have, however, reported that as at the end of November, 1975, public sector banks, including the 14 nationalised banks, had on hand 9 licences/allotments for opening branches in Faizabad Division of Uttar Pradesh.

Statement

<i>District</i>	<i>Name of the Centre</i>
Faizabad	Jahangirganj
	Milkipur
Baharaich	Risia
Barabanki	Bara barki
Gonda	Paraspur
	Maskanwa
	Sadullangar
Pratapgarh	Kohardaur
Sultanpur	Sultanpur

Concessions and Loans to Textile Magnates for Expansion of Textile Industry

331. SHRI M. KATHAMUTHU: SHRIMATI ROZA DESHPANDE:

Will the Minister of COMMERCE be pleased to state:

(a) whether Government are aware that the textile industry has shown a profit of 466.1 per cent after paying tax in 1973-74; and

(b) whether Government have decided to give concessions and loans to textile magnates to expand and overhaul the industry?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) A study of RBI of 271 textile mills for 1973-74 shows that profit after tax as a percentage of net worth was 24.7 per cent and current dividend as a percentage of the total paid-up capital was 9.2 per cent.

(b) No such loans or concessions are being given by the Government. However, it is proposed to assist the industry as a whole for purposes of rehabilitation and modernization through financial institutions.

Increase in D.A. to Central Government Employees

332. SHRI SAMAR MUKHERJEE: Will the Minister of FINANCE be pleased to state:

(a) whether Government are having any proposal to increase dearness allowance of the Central Government employees in near future; and

(b) if so the basic principle thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) and (b). Government have already paid fourteen instalments of dearness allowance to Central Government employees since 1st January, 1973. These have covered the cost of living index average upto 312. A demand has been made for the grant of an additional instalment consequent on the index average having reached 320. This matter is under consideration.

Income Tax Collection under Voluntary Disclosure Scheme

333. SHRI SHASHI BHUSHAN: SARDAR SWARAN SINGH SOKHI:

Will the Minister of FINANCE be pleased to state the total amount of income tax recovered so far under the Voluntary Disclosure Scheme in the country and particularly in Delhi?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): According to information presently available, the amount of income-tax payable and collected in respect of declarations made under the Voluntary Disclosure Scheme in the whole of the country and in the Charges of the Commissioners of Income-Tax, Delhi including Delhi (Central) is as under:

	Income-tax payable	Income-tax collected	(Rs. in crores)
(i) All over the country	239.70	150.03	
(ii) Charges of the Commissioners of Income-tax Delhi including Delhi (Central)	24.32	15.32	

Robbery in Khatauli Branch of Central Bank of India, U.P.

334. SHRI ISHAQUE SAMBHALI: Will the Minister of FINANCE be pleased to state:

(a) whether Rs. 7 lakhs belonging to the Khatauli Branch of Central Bank of India was looted on 16th December, 1975 in Uttar Pradesh; and

(b) whether some arrests have been made and money recovered?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF

REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). Central Bank of India has reported that cash amounting to Rs. 7 lacs requisitioned by its Khatauli branch from its Muzaffarnagar branch was looted by two unknown persons on 16th December, 1975 at the Khatauli Bus Stand as soon as the box containing the cash was taken out of the U.P. Roadways Transport Corporation bus. The armed guard and the cash peon accompanying the cash box were also shot dead by the miscreants. The bank reported the case to Police and the Police investigations are continuing. According to information available with the bank, no arrests have so far been made.

Realisation of Taxes

335. R. S. PANDEY:
SHRI M. RAMGOPAL REDDY:

Will the Minister of FINANCE be pleased to state:

(a) whether realisation of taxes in the country has considerably increased during the present emergency period in comparison to the pre-emergency period; and

(b) if so, the comparative increase in percentage?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). **Direct Taxes.**—Compared to the expected realisation of Rs. 524 crores during the months of July to November, 1975 the actual realisation has been Rs. 699 crores showing an increased realisation of 33.39 per cent.

Central Excise.—Compared to the expected realisation of Rs. 1500 crores during the months of July to November, 1975 the actual realisation has been Rs. 1564 crores showing increased realisation of 4.27 per cent.

Customs.—Compared to the expected realisation of Rs. 527 crores during the months of July to November, 1975 the actual realisation has been Rs. 563 crores showing increased realisation of 6.83 per cent.

While the increased realisation in Direct Taxes and Central Excises appears mostly to be attributable to the effects of Emergency the increased realisation in Customs appears to be mostly because imports have been somewhat more than estimated.

Raids to Unearth Black Money and Valuables

336. SHRI P. G. MAVALANKAR: Will the Minister of FINANCE be pleased to state:

(a) the particulars of the business and residential houses raided for unearthing unaccounted money, jewellery and other valuable articles, during the calendar year 1975 in the four metropolitan cities of Delhi, Bombay, Madras and Calcutta;

(b) the amounts confiscated and the taxes and penalties recovered and imposed; and

(c) broad details of punishment if any, including fines and jail term meted out to the more serious offender?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) to (c). A large number of search and seizure operations were conducted by the Income-tax Authorities in the cities of Delhi, Bombay, Madras and Calcutta during the calendar year 1975. Detailed information in respect of the individual operations is not readily available and its collection from the concerned Commissioner's Charges will take considerable time. Moreover, information regarding taxes and penalties imposed and recovered and punishments including fines and jail terms, if any, will become available

only after the respective assessments are finalised on completion of necessary enquiries. There are, thus, difficulties in compiling the information required by the Hon'ble Member within a reasonable time. However, if the Hon'ble Member desires to have information about any particular case or cases, the same will be collected, to the extent available, and furnished.

Textile Exports Earnings

337. SHRI DHAMANKAR: Will the Minister of COMMERCE be pleased to state:

(a) what were the actual textile exports earnings during the financial year 1974-75 as against the target of Rs. 300 crores and how do these figures compare with the preceding year;

(b) what are the reasons responsible for the drop in the exports, if any; and

(c) what steps are being taken and promotional measures adopted to boost the trade to withstand competition from traditional rivals so as to bring in more exports earnings during the current financial year?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) Exports of mill-made cotton textiles during 1974-75 amounted to Rs. 295.93 cr. against the target of Rs. 225 cr. During 1973-74 exports had been worth Rs. 272.49 crores.

(b) There has been no drop in exports during 1974-75, as compared to the previous year.

(c) In addition to normal import replenishment benefits, Government are providing to the industry for the period 1st July, 1975—31st March, 1976 a grant towards the incidence of non-rebatable internal taxes and duties and adjustment of cotton price differentials.

Decision to take over Laxmi Rattan Cotton Mills and Atherton West Mills in Kanpur

338. SHRI S. M. BANERJEE: Will the Minister of COMMERCE be pleased to state whether Laxmi Rattan Cotton Mills and Atherton West Mills in Kanpur have been taken over by the National Textile Corporation; if not, when a final decision is likely to be taken?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): The question of reopening Laxmi Rattan Cotton Mills and Atherton West Mills in Kanpur has been under active consideration in consultation with Government of Uttar Pradesh and the respective bankers of the mills. A final decision in the matter is yet to be taken.

Minimum Support Price for Raw Jute

339. SHRI JAGANNATH MISHRA: Will the Minister of COMMERCE be pleased to state:

(a) On the recommendation of recently fixed the minimum support price for raw jute; and

(b) if so, the amount fixed?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) On the recommendation of Agricultural Prices Commission, Government has fixed statutory minimum prices for all recognised varieties and grades of raw jute in upcountry markets of jute and mesta growing States for 1975-76 season.

(b) Statutory minimum price was fixed uniformly for all upcountry markets at Rs. 135 per quintal for Assam white jute of bottom grade and comparable varieties and grades for the 1975-76 season.

Searches by Income Tax Department

340. SHRI PRABODH CHANDRA: Will the Minister of FINANCE be pleased to state whether Government have continued searches and seizures of assets of income tax evaders in the country even after the promulgation of ordinance regarding voluntary disclosures?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): Yes, Sir.

Representation from Industries for giving Relief in Excise Duty

341. SHRI P. NARASIMHA REDDY: Will the Minister of FINANCE be pleased to state:

(a) whether Government have received and made a study of representations from different industries like sugar, confectionary and cement for modifications and relief in excise levy in order to bring down prices and maximise production; and

(b) the steps contemplated in this behalf?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) Yes, Sir.

(b) The representations are under consideration.

Tobacco Exports

342. SHRI KRISHNA CHANDRA HALDER: Will the Minister of COMMERCE be pleased to state:

(a) whether there is any truth in the newspaper reports that India has failed to seize the growing opportuni-

ties for tobacco exports in world markets; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) No, Sir.

(b) Does not arise.

Exports to Middle East Countries

343. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of COMMERCE be pleased to state:

(a) the total value of exports from India in 1974-75; and

(b) the prospects of exports to Middle East countries in the near future?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) The total exports (incl. re-exports) of India during 1974-75 amount ed to Rs. 3304 crores.

(b) In the context of increase in oil revenues and the schemes of industrialisation undertaken by the Middle East Countries, there are good prospects of increasing India's exports to these countries.

रानकपुर (राजस्थान) में पुराने मन्दिर का जीर्णद्वार

344. श्री मूलचन्द डापा : क्या पर्यटन और नागर विकास मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या उन्होंने वर्ष 1975 में पाली जिले (राजस्थान) का ऐतिहासिक तथा प्राचीन रानकपुर मन्दिर देखा था; और

(ख) क्या उनके विभाग ने मन्दिर के जीर्णद्वार की कोई योजना बनाई है?

पर्यटन और नागर विभाग न बंधास्तव में राज्य भंडी (जो तुरेन्स पाल सिंह) : (क) जी, हाँ।

(क) क्योंकि मंदिर का संबंध आनंदजी कल्पाणजी के जैन धार्मिक द्रुष्ट द्वारा पहले ही अचले प्रकार से किया जा रहा है, अतः सरकार द्वारा उसके नवीकरण अवश्य सरकार कार्य को अपने हाथ में लेने की कोई आवश्यकता नहीं है।

Aid to Handloom Industry

345. SHRI YAMUNA PRASAD MANDAL: Will the Minister of COMMERCE be pleased to state: -

(a) whether Government have decided to provide aid to Handloom Industry in the country; and

(b) if so, the amount and nature thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) Yes, Sir.

(b) The programmes contemplated for further development of the handloom industry during the Fifth Plan period include increasing the co-operative coverage of handlooms to 60 per cent from the present 30 per cent, modernisation of handlooms, providing better credit facilities, setting up of Intensive and Export-Oriented Projects, ensuring adequate supply of raw materials at reasonable prices and strengthening and expanding marketing outlets for handloom goods and reservation of more lines of production for handloom sector. The financial implications of these projects are yet to be worked out.

Problems of Employees of Defence Accounts, Patna

346. SHRI RAMAVATAR SHASTRI: Will the Minister of FINANCE be pleased to state:

(a) whether Controller of Defence Accounts, Patna has again adopted the policy of delay in reply in dealing with the All India Defence Accounts Employees Association, Patna branch on untenable objections;

(b) whether various problems of the employees are going unrepresented; and

(c) whether complaints in this regard have been received by Government?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGI): (a) No, Sir.

(b) No, Sir.

(c) Certain complaints were received but they were found to be without basis.

राष्ट्रीयकृत बैंकों में राजपत्रित तथा भाराजपत्रित अधिकारियों की भर्ती

347. जी हरी सिंह : क्या वित्त मंत्री वह बताने की कृपा करेंगे कि:

(क) राष्ट्रीयकृत बैंकों में वर्ष 1975 में कितने राजपत्रित तथा भाराजपत्रित अधिकारियों की भर्ती की गई; और

(क) क्या इन अधिकारियों की भर्ती करते समय हरिजनों के लिये धारकात कोटे के कुल पदों पर हरिजनों की भर्ती की गई है?

राजस्व और बैंकिंग विभाग के बाजारी राज्य भंडी (जो प्रबल तुमार तुमरी) : (क) बैंकों में कर्मचारियों का वर्गीकरण पर्यावरणीय विधि और अधिकारिता

(मुपरवाइज/रीकॉर्डरिकल और सबार्डिनेट) के रूप में किया जाता है। यदा उत्तरव्य सूचना समा पटल पर रखे गये विवरण में दी जा रही है। [प्रत्याख्य वे रक्त गया देखिये संस्था एस डी-10063/76]

(क) दैकों ने बताया है कि हरिजनों (प्रत्याख्य जातियों) के लिए आरक्षित कोटा, विभिन्न कूट दिये जाने के बाबजूद इन जातियों में से उपर्युक्त उम्मीदवार न मिल पाने के कारण नहीं भरा जा सका।

Voluntary Disclosure Scheme

348. SHRI JYOTIRMOY BOSU:
SHRI M. RAM GOPAL
REDDY:
SARDAR SWARAN SINGH
SOKHI:

Will the Minister of FINANCE be pleased to state:

(a) State-wise how many persons and business firms have disclosed their undisclosed income according to Government's latest "Voluntary Disclosure Scheme"; and

(b) State-wise amount of concealed income disclosed and amount of tax imposed?

THE MINISTER OF STATE IN CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) and (b). Statistics in respect of declarations made under the Voluntary Disclosure Scheme are maintained Commissioner of Income-tax Chargewise. A statement giving the requisite information presently available is laid on the Table of the House. [Placed in Library. See No. LT-10054/76].

Tea Centres Abroad

349. SHRI DINESH CHANDRA GO-SWAMI: Will the Minister of COMMERCE be pleased to state:

(a) whether Government have taken some schemes to make tea centres abroad economically viable and to increase the export of tea;

(b) if so, the nature of steps taken so far or envisaged in the near future;

(c) how far has the financial assistance given to tea gardens under the tea plantation finance scheme been effectively utilised to increase the potentialities of export of Indian tea?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) Yes, Sir.

(b) Steps for renovating and improving the operational efficiency for London Tea Centre have been taken. Measures for improving the work of the other tea centres are also undertaken. The Melbourne Tea Centre has been closed in 1975.

For increasing the export of tea, the Government has been undertaking several fiscal and promotional measures which inter-alia include:

Fiscal Measures:

(i) Ceiling rate of rebate of excise duty at the point of export has been enhanced to 85 p. per kg. from 1-3-75.

(ii) Cash compensatory support for export of packet tea, tea bags and instant tea, such items being non-traditional, as a promotional measure.

Promotional measures:

(i) Promotional activities by Tea Board's offices established in London, New York, Brussels, Cairo and Sydney to create greater possibility for ex-

port of Indian Tea to various traditional and new markets.

(ii) A new office has been opened in Kuwait to promote sales of Indian Tea in West Asian countries.

(iii) Promotion of special packs of Indian Tea in selected markets abroad with co-operation of local blenders/packers.

(iv) Limited media publicity in countries abroad.

(v) Participation in Foreign Trade Fairs and Exhibitions.

(vi) Exchange visits of traders and exporters to promote export of tea.

(vii) Participation in generic promotion along with other tea producing countries and local tea trade in importing countries to increase consumption of tea as a beverage vis-a-vis other soft drinks.

(viii) Activating the Tea Trading Corporation of India in the public sector for export of packeted and blended teas.

(c) Tea Plantation Finance Scheme has a revolving corpus of Rs. 4.60 crores. Under the scheme, 236 applications involving a total amount of Rs. 9.44 crores has been sanctioned and a sum of Rs. 5.29 crores has been disbursed upto November, 1975. Total area replanted/replaced/extended under the scheme so far is 7266 hectares. Tea Board has two other Development Schemes also viz. Tea Machinery Hire Purchase Scheme and Replantation Subsidy Scheme. These Development Schemes have helped the gardens to increase production to a record level of 491 m. kgs. in 1974 thus making more of tea available for exports.

Printing of Currency Notes for Bangladesh

350. SARDAR SWARAN SINGH SOKH. Will the Minister of FIN-
ANCE be pleased to state:

(a) whether currency notes were printed by Indian Security Press for Bangladesh this year, or earlier;

(b) whether Bangladesh has taken delivery of such currency notes ordered by Sheikh Mujib-ur-Rehman Government; and

(c) if so, of what amount?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) to (c). At the special request of the Bangladesh Government, their currency requirements valued at about 421.60 crores of Taka were printed and supplied from the India Security Press, Nasik Road during February to August, 1972. No further request has since been received.

Unfavourable Balance of Trade

351. SHRI SHANKER RAO SAVANT: Will the Minister of COMMERCE be pleased to state:

(a) since when we are having an unfavourable balance of trade;

(b) the extent of this unfavourable balance of trade during the last three years; and

(c) the reasons of his unfavourable balance of trade?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) With the exception of the year 1972-73 (when there was a surplus), India has been having unfavourable balance of trade over-all the years since Independence.

(b) While the balance of trade position was favourable to the extent of Rs. 103 crores in 1972-73, it turned into an unfavourable one by Rs. 432 crores in 1973-74 and Rs. 1164 crores in 1974-75.

(c) The larger needs alongwith acceleration in prices of food, POL and

fertilisers pushed up our imports to a high level exceeding our exports by a wide margin.

Demand by I.M.F. for Repayment of Amount received under Oil Facilities Fund

352. SHRI P. M. SAYEED: Will the Minister of FINANCE be pleased to state:

(a) whether the International Monetary Fund has demanded the return of amounts taken by India from the Oil Facilities Fund a few months back; and

(b) if so, the particulars thereof and the reaction of Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGI): (a) No, Sir.

(b) Does not arise.

Production and Import of Long Staple Cotton

353. SHRI VASANT SATHE:
SHRI DHAMANKAR:

Will the Minister of COMMERCE be pleased to state:

(a) the estimated production of long staple and other varieties of cotton during the current season, State-wise in the country;

(b) how does it compare with the production during the previous season and how far it is sufficient to meet the demand in the country; and

(c) whether it is proposed to import special variety of cotton under barter deal or otherwise?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH). (a) Variety-wise and State-wise esti-

mated production of cotton for the current cotton season ending 31st August, 1976 are not yet available.

(b) In view of the reply to part (a) of the question, no such comparison is possible at this stage.

(c) With a view to maintaining our bilateral trade relations, limited imports of cotton from countries such as Egypt and Sudan are being made.

Trade with Iraq

354. SHRI SHYAM SUNDER MOHAPATRA: Will the Minister of COMMERCE be pleased to state:

(a) whether trade with Iraq is on the increase; and

(b) what are the items on which trade is going on according to the latest trade agreement?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) Yes, Sir. Our trade exchanges with Iraq during the years 1972-73 to 1974-75 are given below:—

	Value Rs. lakhs		
	1972-73	1973-74	1974-75
Exports . .	1098	2034	7269
Imports . .	660	6124	25135

(b) The main items of import from Iraq are dates, sulphur and crude oil. Our exports consist mainly of iron and steel, tea, engineering goods, jute manufactures, plywood, chemicals and textiles.

Tourist Launches for Gobind Sagar Lake (Himachal Pradesh)

355. PROF. NARAIN CHAND PARASHAR: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the proposed tourist launches for Gobind Sagar Lake in District Bilaspur of Himachal Pradesh have been fabricated and are ready for commissioning; and

(b) if so, the likely date by which the launches would be finally commissioned

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) No, Sir.

(b) The Ministry of Shipping and Transport have intimated that launches are expected to be commissioned by the end of May, 1976.

Persons arrested for Economic Offences

356. **SHRI P. M. SAYEED:** Will the Minister of FINANCE be pleased to state the total number of persons arrested for economic offences after the declaration of emergency and their State-wise breakup?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): A total number of 59 persons were arrested for economic offences after the declaration of emergency in cases handled by the C.B.I. Their Statewise break-up is given in the statement laid on the Table of the House. [Placed in Library. See No. LT-10065/76].

35 persons were arrested by the Foreign Exchange Enforcement Directorate during the period from 26-6-1975 to 31-12-1975 under the Foreign Exchange Regulations Act. Their State wise break-up is given in the Statement laid on the Table of the House. [Placed in Library. See No. LT-10065/76].

A total of 856 persons were detained under the COFEPOSA Act during the period from 25-6-1975 to 31-12-75. Their State-wise break-up is given

in the Statement laid on the Table of the House. [Placed in Library. See No. LT-10065/76].

Under Direct Taxes Laws there was no provision for the arrest of a person for such offences.

Information relating to arrests under Customs, Central Excise, and Gold Control laws is being collected and will be laid on the Table of the House.

Value of Rupee

357: **SHRI P. M. SAYEED:** Will the Minister of FINANCE be pleased to state:

(a) whether the value of rupee has increased after the declaration of Emergency; and

(b) if so, to what extent and what further steps Government propose to take to strengthen its value?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGI): (a) and (b). The purchasing power of the Rupee, as measured by movements in the Industrial Workers' Consumer Price Index (1960=100), has increased by 6.7 per cent between June and October 1975. The behaviour of Wholesale prices in the period subsequent to October, 1975 encourages the hope that the value of the Rupee may rise further as the good agricultural season of this year, and the recent pick-up in industrial production, may tend to have a favourable effect on the price level. Thus, in the current year the gross national product of the country is expected to increase significantly in real terms. At the same time, the monetary and fiscal discipline which was strengthened last year would continue to be enforced in a regulated manner so as to stimulate production in the priority sectors. The combined result of these is expected to increase the internal value of the rupee.

Export Processing Zone in Cochin

358. SHRI P. M. SAYEED: Will the Minister of COMMERCE be pleased to state:

(a) the progress made in regard to the decision of Government to set up an export processing zone in Cochin;

(b) the reasons for the delay in its implementation; and

(c) the time schedule by which it is expected to be set up?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) to (c). The Government of Kerala were advised to get a feasibility study on the proposal for setting up an Export Processing Zone in Cochin.

Export of Engineering Goods

359. SHRI A. K. KISHKU: Will the Minister of COMMERCE be pleased to state:

(a) the value of engineering goods exported by India during the last three years, year-wise;

(b) whether export of engineering goods from Eastern Region has been decreased during the period; and

(c) if so, the reasons thereof and the action being taken for export of engineering goods from this region?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) Export figures are as follows:

1972-73 .	Rs. 141.08 Crores
1973-74 .	Rs. 193.47 Crores
1974-75 .	Rs. 349.11 Crores

(Source : Engineering Export Promotion Council).

(b) No, Sir.

(c) Does not arise.

Tripura Jute Mill

360. SHRI A. K. KISHKU: Will the Minister of COMMERCE be pleased to state:

(a) whether rupees one crore have been provided for setting up the Tripura Jute Mill during the Fifth Plan period;

(b) if so, the action taken up-to-date regarding the setting up of the said jute mill; and

(c) the result achieved so far?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) According to information collected from the Government of Tripura, upto 1975-76, an amount of Rs. 1.15 crores has been sanctioned to the Tripura Jute Mill.

(b) and (c). Land required for construction has already been taken over and development of land has almost been completed. Temporary godown erected and work on the main mill building is being started Orders for machinery have been placed.

Export of Railway Wagons

361. SHRI A. K. KISKU: Will the Minister of COMMERCE be pleased to state:

(a) whether a target was fixed to export 950 Railway wagons valued at Rs. 10 crores during the Fifth Plan period;

(b) if so, the orders received for Railway wagons up-to-date;

(c) the total export order for wagons pending with the wagon export units during the last three years unit-wise; and

(d) the action taken up-to-date to meet the target?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI

VISHWANATH PRATAP SINGH):

(a) No such target was fixed.

(b) Orders were received for 4340 wagons for delivery during the Fifth Plan period. Due to reduction of the order from Yugoslavia, the number now stands at 2040 wagons.

(c) The position of orders (number of wagons) pending at the end of the last three years is as follows:

Name of Unit	On 31-3-73	On 31-3-74	On 31-3-75
Jessop & Co.	535	120	48
Braithwaite Ltd	200	142	90
Texmaco	275	269	673
Burn & Co.	273	49	..
ISW	326	163	105
CIMMCO		110	110
K. T. Steel	490	186	186

(d) Does not arise, in view of answer to part (a).

Free Trade Zone at Dum Dum

362. SHRI A. K. KISKU: Will the Minister of COMMERCE be pleased to state:

(a) the main features of the proposal regarding Free Trade Zone at Dum Dum;

(b) the action taken to implement it; and

(c) the result achieved?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) The proposal is to set up a multi-product Free Trade Zone in the Salt

Lake Area on a 100 per cent export basis.

(b) and (c). The project report has been prepared and is in final stages of consideration.

अफीम के मूल्य बढ़ाने की व्यवस्था

363. डा० लक्ष्मीनारायण वारेयः क्या वित्त मंत्री यह बढ़ाने की कृता करेंगे कि:

(क) क्या रासायनिक खाद के मूल्यों में वृद्धि तथा विद्युत और सिचाई की दरों में वृद्धि के कारण अफीम की उत्पादन लागत बढ़ गई है।

(ख) क्या अफीम की खेती करने वालों ने अफीम के मूल्य में वृद्धि की मांग को है; और

(ग) यदि हाँ, तो इस संबंध में सरकार ने क्या कार्यवाही की है?

राजस्व और बैंकिंग विभाग के प्रभारी राज्य मंत्री (श्री प्रणब कुमार मुखर्जी) (क) से (ग). अफीम के उत्पादन की लागत विशेषकर पिछले दो दशकों में बढ़ी है जिसका काण रासायनिक खादों, विजली और सिचाई जैसी खेती के साथीं की लागत में वृद्धि होता है। परन्तु उत्पादन की इस बढ़ी हुई लागत को सन्तुलित करने के लिए सरकार ने अफीम का कद मूल्य बढ़ाकर न्यूनतम स्तर पर 60 रुपये से 110 रुपये प्रति किलोग्राम और अधिकतम स्तर पर 100 रुपये से 130 रुपये प्रति किलोग्राम कर दिया है। सरकार को अफीम के कास्तकारों से कृष्ण अध्यावेदन प्राप्त हुई है जिनमें ऊंचे कद-

मूल्य की मांग की गई है। परन्तु ऐसा समझा जाता है कि सरकार ने पिछले दो वर्षों में मूल्य में जो वृद्धि की है वह उचित और पर्याप्त है। अतीव के काश्तकार सरकार को मूल्य नोति से कुल मिलाकर संतुल्य है इस तथ्य को पुष्ट इस बात से हो रही है कि इस मौसम में सरकार को पोस्ट की काश्त के लिये पिछले वर्ष के मुकाबले प्रवेशाकृत अत्रिरु बड़ा हुआ थें और अधिक काश्तकार मिले हैं।

Measures to unearth Black Money

364. SHRI VASANT SATHE:
SHRI SHYAM SUNDER
MOHAPATRA:

Will the Minister of FINANCE be pleased to state:

- (a) what is the official estimate of black money in the country;
- (b) whether Government have taken series of stringent measures to curb the menace of black money in the economy;
- (c) the latest achievement under Voluntary Disclosure Scheme; and
- (d) whether Government are further taking stringent measures to curb black money in the country and punish the economic offenders?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):

(a) The Government have not made any estimate of black money in the country. It may however, be stated that the Direct Taxes Enquiry Committee (Wanchoo Committee) had estimated the income on which tax was evaded for the year 1968-69 at a figure of Rs. 1,400 crores.

(b) Yes. Sir.

(c) According to information presently available 2,40,484 and 13,132 declarations in respect of Rs. 736.65 crores income and Rs. 790.96 crores wealth respectively have been received.

(d) Measures to curb black money and punish economic offenders are being taken as considered necessary.

Handloom Weavers

365. SHRI VASANT SATHE: Will the Minister of COMMERCE be pleased to state:

(a) whether Government are aware of the acute hardships caused to the handloom weavers in the country because of the huge inflow of sarees manufactured by powerlooms affecting the sale of handloom sarees;

(b) if so, the steps taken/proposed to protect the handloom sector from dumping by the powerloom sectors;

(c) whether substantial number of powerlooms are unauthorised in the States of Tamil Nadu and Maharashtra; and

(d) if so, Government's reaction to the working of such looms?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) and (b). Production of coloured cotton sarees had been reserved exclusively for handloom sector. There have, however, been reports about production of coloured sarees by powerlooms, affecting the sale of sarees produced by handlooms sectors. All State Governments, through whom the reservation orders are being enforced, have been requested to enforce the orders strictly. In addition the Central Government has re-introduced the Tex-mark system by which the Power-

loom owners are required to print their licence number etc. on cloth produced on powerlooms to enable identification of powerloom production and also to prevent marketing such cloth as handloom cloth.

(c) and (d). There are reports of existence of unauthorised powerlooms in Tamil Nadu and Maharashtra, but no reliable estimate of the number of such looms is available. Government are averse to the working of such unauthorised powerlooms, and are making all efforts to contain the problem of unauthorised powerlooms.

विदेश गये भारतीय पर्यटकों की संख्या

366. श्री हुकम चंद्र कल्याण : क्या पर्यटन और नागर विमानन मंत्री यह बताने की कृता करेंगे कि:

(क) क्या आपात स्थिति की ओरणा के बाद सरकार ने सम्बद्ध विमांगों को इस ग्राम्य के प्रतुदेश दिये हैं कि भारतीयों को विदेश जाने की अनुमति न दी जायें; और

(ख) यदि हाँ, तो जूरा से दिसम्बर 1975 की प्रवधि में कितने भारतीय पर्यटक विदेश गये और इस संख्या की आपात ओरणा से पूर्व वे दो बर्षों के अंदरूनी से क्या तुलना है?

पर्यटन और नागर विमानन मंत्रालय में राज्य मंत्री (श्री सुरेन्द्र पाल सिंह) : (क) गृह तथा विदेश मंत्रालयों से परामर्श किया गया था और उहाँने बताया है कि ऐसे कोई प्रतुदेश जारी नहीं किए गए हैं। पासरोडों के लिये आवेदनपत्रों पर उनके गुणवत्ताओं के आधार पर उसी प्रकार कार्यवाही की जा रही है जिस प्रकार आपात स्थिति से पहले की जा रही थी।

(ख) पर्यटन विवाह भारत आने वाले विदेशी पर्यटकों के रिकांड रखता है, विदेश जाने वाले भारतीयों के नहीं।

मिल के साथ दीर्घीवधि समझौता

367. श्री हुकम चंद्र कल्याण : क्या विदेशी मंत्री यह बताने की रूपा करेंगे कि :

(क) क्या दिसम्बर के तीसरे सप्ताह में मिल के अवर सचिव और भारत के विदेश व्यापार मंत्रालय के सचिव द्वारा माल के आदान-प्रदान के आधार पर व्यापार के लिए किसी दीर्घीवधि समझौते पर हस्ताक्षर किये गये थे; और

(ख) यदि हाँ, तो आदान-प्रदान किया जाने वाला तेल सहित माल कितनी मात्रा में और कितने मूल्य का होगा तथा उसका अन्य व्यौरा क्या है?

विदेशी मंत्रालय में उपमंत्री (श्री विजयनाथ प्रसाद सिंह) : (क) मिल के अवर गणराज्य के साथ वर्ष 1976 के लिए द्वितीय व्यापार प्रबन्ध पर 18 दिसम्बर, 1975 को हस्ताक्षर किये गये थे।

(ख) व्यापार प्रबन्ध में प्रत्येक देश से दूसरे देश को 60 करोड़ हजार मूल्य तक के नियर्यातों की व्यवस्था है। भारत से नियर्यात के लिए मद सूची में कोककर कोयला, लोह-मरस्क, लोहा तथा इस्पात, चाय, पटसन का माल, इंजीनियरी सामान, भ्रीष्म, रासायनिक पदार्थ एवं भैंसज, तम्बाकू, चीनी, प्लाईचुड आदि शामिल हैं। मिल के अवर के गणराज्य द्वारा नियर्यात की वस्तुओं में कच्चा तेल, राक-फासफेट, चावल, रुई आदि शामिल हैं।

राज्य व्यापार निगम तथा खनिज तथा धातु व्यापार निगम के पास बिना बिका पड़ा भाल

368. डा० लक्ष्मीनारायण पांडेय : क्या वाणिज्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या राज्य व्यापार निगम तथा खनिज तथा धातु व्यापार निगम के पास करोड़ों रुपये का भाल बिना बिका पड़ा है; और

(ख) क्या इन आयातित वस्तुओं के मूल्य बाजार में काफी घिर गये हैं जिससे इन निगमों को भारी घाटा होने की सम्भावना है?

वाणिज्य मंत्रालय में उपमंत्री (भी बिलबोनाथ प्रताप सिंह) : (क) राज्य व्यापार निगम और खनिज तथा धातु व्यापार निगम के पास 1-12-1975 को जो आयातित भाल या उसका मूल्य क्रमशः 55.67 करोड़ रु० और 68.76 करोड़ रु० है। ये स्टाक सामान्य तौर पर वास्तविक प्रभोक्ताकर्मों की आवश्यकताकर्मों को तत्काल पूरा करने के लिए जरूरी स्टाक की आम सीमाओं के भीतर हैं।

(ख) अधिकांश आयातित भाल की कीमतें सामान्य तौर पर 1975 के दौरान स्थिर रहीं, हालांकि कुछ मर्दों के सम्बन्ध में गिरावट का रुख था। इस भाल की बिक्री के बाद हिंसाद-किताब पूरा हो जाने पर ही व्यापारिक परिणामों का पता चलेगा।

Foreign Companies in India

369. SHRI SAT PAL KAPUR: Will the Minister of FINANCE be pleased to state:

(a) the number and names of foreign companies, trading in India which have been allowed to operate their business after 31st December, 1975 under relevant rules of Foreign Exchange Regulation Act; and

(b) the justification thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGAL): (a) The Reserve Bank of India have given final approvals to four branches of foreign companies permitting them to continue their existing activities in the case of nine branches of foreign companies and eighteen Indian companies in which the non-resident interest is more than 40 per cent, they have issued Letters of Intent proposing to permit them to continue their existing activities. A list of these branches/companies is given below. The above mentioned branches/companies are engaged in predominantly trading/commercial activities. The permission given to them is subject to the condition that they should reduce their non-resident interest to 40 per cent or associate Indian participation of not less than 60 per cent of the equity of the Indian company within the time stipulated by the Reserve Bank.

I. Branches of foreign companies to whom final approvals have been given:

1. Gerdau India Corporation, New Delhi.
2. New Way Packaged Products Ltd., Madras.
3. Van Rees India, B. V., Calcutta.
4. Wedag West falia Dinnedahl Croppel Aktiengesell-Schaft, Calcutta.

II. Branches of foreign companies who have been issued Letters of Intent.

1. British Burmah Petroleum Co. Ltd., Bombay.
2. Elof Hanson Ltd., Bombay.
3. Fabindia Inc., New Delhi.

- 4 Giddings and Lewis Frazer Ltd, Calcutta
5. IBM World Trade Corporation, New Delhi
- 6 James Finlay and Co Ltd Calcutta
- 7 Linotype and Machinery Ltd Bombay
- 8 Marconi International Marine Co Ltd, Bombay
- 9 McGregor and Balfour Ltd, Calcutta

III Indian companies with non resident interest of more than 40 per cent who have been issued Letters of Intent

- 1 Alfred Herbert (India) Ltd Calcutta
- 2 Automatic Machine Co, Calcutta
- 3 Asia Electric India Pvt Ltd, Bombay
- 4 Columbia Graphophone Co of India (Pvt) Ltd, Calcutta
- 5 E Green & Sons (India) Pvt Ltd Bombay
- 6 F L Smith and Co (Bombay) Pvt Ltd, Bombay
- 7 General Superintendence Co (I) Pvt Ltd Bombay
- 8 Ilford Selo (India) Ltd, Bombay
- 9 Indian Molasses Co Pvt Ltd, New Delhi
- 10 International Computers India (P) Ltd Bombay
- 11 India Tyre & Rubber Co (I) Pvt Ltd Bombay
- 12 Madorina Watch Co Pvt Ltd, Bombay
- 12 Mirc Industries Pvt Ltd Bombay
- 14 Picker X-Ray (India) Ltd, Calcutta
- 15 Rofex Watch Co Pvt Ltd Bombay
- 16 Sepulchre Bros (India) Ltd Bombay
- 17 Textile Export (Private) Ltd, Bombay
- 18 Weddel (India) Ltd Calcutta

(b) The permission has been given in terms of the Guidelines for administer-

ing Section 29 of the Foreign Exchange Regulation Act, 1973.

Person arrested under Conservation of Foreign Exchange and Prevention of Smuggling Activities

370 SHRI BHOGENDRA JHA Will the Minister of FINANCE be pleased to state

(a) the total number of persons arrested during the last year and since the declaration of internal emergency under the conservation of Foreign Exchange and Prevention of Smuggling Activities Act and

(b) the total number of such persons absconding?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE)

(a) The total number of persons detained under the provisions of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974, during the year 1975 (1-1-75 to 31-12-75) is 1207. Of these 856 persons have been detained after the declaration of emergency on 25-6-75

(b) Of the persons ordered to be detained under the provisions of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 during 1975 296 are yet to be detained

Ban on lending by Banks in Urban Areas

371 SHRI RAGHUNANDAN LAL BHATIA Will the Minister of FINANCE be pleased to state

(a) whether Government are considering any ban on lending by banks in urban areas to divert more funds for the rural sector and

(b) if so whether it is going to help in controlling inflation in the country?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):

(a) and (b) While it is the accepted policy of the banking system since

banks' nationalisation to deploy credit in an increasing measure in rural areas, there is no proposal under consideration of the Government to put any restriction on bank lending in urban areas.

Loans to Unemployed Engineers from Nationalised Banks

373. SHRI S. A. MURUGANAN-THAM: Will the Minister of FIN-ANCE be pleased to state:

(a) whether Government are aware that the unemployed engineers are facing great difficulty in securing loans from the nationalised banks for their enterprises, and

(b) in view of Government's 20-point Economic Programme how far this hurdle of the new small scale industrialists is proposed to be removed in securing loans from the nationalised banks?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):

(a) Public sector banks are extending financial assistance to qualified technical entrepreneurs, including unemployed engineers, for setting up and operating productive ventures on liberal terms under specific schemes for entrepreneurial development. Stipulations regarding margins are usually determined by these banks taking into consideration various factors like the size of the project, the technical competence of the borrower, and his capacity to invest his own funds. In deserving cases, public sector banks consider extension of financial assistance to the full extent of the project cost without insisting on any margin.

(b) After nationalisation of major scheduled commercial banks in 1969 banks have taken a number of steps to speed up disposal of credit proposals for small scale industrial units.

Among others, forms and procedures have been simplified and adequate powers delegated to branch managers to sanction loans to small scale industrialists expeditiously. It is the accepted policy of banking system to make credit available to small scale industries on liberal scale and on priority basis.

Hesitation of Italian Importers to Import Goods from South India

374. SHRI B. S. BHAURA: Will the Minister of COMMERCE be pleased to state:

(a) whether Italian importers are hesitant to import goods such as leather and handloom goods from South India because of delays in dispatch due to bottleneck in air cargo movement;

(b) if so, the steps taken by Government to avert this; and

(c) how far has this bottleneck in cargo affected the exports?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) No such hesitation has come to notice. However, there were some delays in despatches from Madras during December, 1975.

(b) Air India operated weekly additional cargo flights from Madras to uplift the backlog of leather and garment shipments. Other steps taken include allowing other international lines to carry till 31-3-76 the leather cargoes subject to entitlement of subsidy at the rates admissible had they been carried at mandatory rates.

(c) The steps taken have helped ease the situation, and the question of exports being affected does not arise.

Popularity of Indian Sarees in Foreign Countries

376. SHRI RAJDEO SINGH: Will the Minister of COMMERCE be pleased to state:

(a) whether Indian sarees have found a permanent place in many wardrobes abroad; and

(b) if so, which of the varieties—cotton sarees, bleached carded yarn sarees, silk sarees, art silk sarees and powerloom sarees are most preferred?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). Indian sarees are imported by a number of countries which have got a considerable population of Indian origin. Cotton sarees and silk sarees are among the most preferred items.

Working of Non-Banking Companies

377. SHRI RAJDEO SINGH: Will the Minister of FINANCE be pleased to state:

(a) whether the Central Government have permitted the Reserve Bank of India to adopt measures to cut non-banking companies (NBCs) to size by discouraging the growth of deposits with non-financial companies and by treating financial companies as "banks" under the Banking Regulation Act, 1949;

(b) whether these non-financial companies were financing industry and trade against the guidelines laid down by the Central Government; and

(c) what other reasons motivated this step?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) With a view of examining the question

of adequacy or otherwise of the existing controls over the deposit acceptance activities of non-banking non-financial and financial companies, Reserve Bank had set up a Study Group on non-banking companies. The Study Group has, *inter alia*, made the following recommendations on the specified subject:—

- (i) In the case of non-banking non-financial companies, the existing ceiling of 15 per cent. in respect of unsecured loans guaranteed by directors, shareholders' deposits, etc., may be reduced by five per cent with effect from 1st January, 1977 and the balance of 10 per cent. may also be completely withdrawn with effect from 1st January, 1978; and
- (ii) For the effective regulation of the activities of financial companies, the Reserve Bank should be vested with powers on the lines of Sections 21, 23, 27(2), 28, 35A, 35B, 36(1) excluding clause (c) and sub-section (3), 38 and 44A of the Banking Regulation Act, 1949.

These recommendations have been accepted by the Government. The effect of the recommendation at (i) above would be that non-banking non-financial companies will, after the recommendation is fully implemented, be able to raise deposits to the extent of 25 per cent only of their paid-up capital and net free reserves.

(b) The Study Group, observed that the non-banking non-financial companies normally use the deposits for their own business.

(c) The primary objective behind the above recommendations has been to ensure the efficacy of monetary and credit policy and to safeguard, to the extent possible, the depositors' interest.

Loan from International Development Association

378. SHRI RAJDEO SINGH: Will the Minister of FINANCE be pleased to state:

(a) whether the International Development Association (IDA) an affiliate of World Bank has offered a credit of \$ 105 million to help in increasing fer-

(c) if so, what are these items? tilizer production in this country;

(b) whether this sum is for some specific items; and

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGI): (a) Yes, Sir. An agreement for a \$ 105 million credit for the fertilizer industry project was signed with the IDA on the 31st December, 1975.

(b) and (c). A statement is laid on the Table of the House. [Placed in Library. See No. LT-10066/76].

Air Freight rates for Leather Goods

379. SHRI RAJDEO SINGH: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether air freight rates for leather goods from Calcutta and Madras to destinations in U.S.A. and Canada have been revised towards higher side and this has induced foreign airlines to clear the backlog of consignment awaiting clearance; and

(b) whether this increased freight will harm the industry in facing competition in the export market from China, Spain and South American countries?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a) In order to promote export of leather and leather goods by air, concessional mandatory freight rates were fixed by the Government. Since

these concessional rates were considered unattractive by international airlines, they were revised upwards by 20 per cent in the case of finished leather effective December 17, 1975. It is hoped that the revised rates will induce international airlines to uplift more leather consignment from India.

(b) In view of the increase in the f.o.b. realisation for finished leather the trade will be able to absorb the rise in the freight rate.

Collection of Central Sales Tax

380. SHRI Y. ESWARA REDDY: SHRI D. K. PANDA:

Will the Minister of FINANCE be pleased to state:

(a) total amount of money Government have collected as Central Sales Tax in 1974-75; and

(b) whether Emergency has created a positive effect on the tax payers?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):

(a) As per the Revised Estimates, collection of Central Sales Tax by the State Governments for 1974-75 add upto about Rs. 278 crores.

(b) Yes, Sir.

Collection of Income Tax

381. SHRI D. K. PANDA: SHRI BHOGENDRA JHA:

Will the Minister of FINANCE be pleased to state:

(a) the total amount Government have collected as Income Tax for 1974-75;

(b) whether the declaration of Emergency and scheme for 'Voluntary Disclosure' of wealth had an impact on improving the income tax collection; and

(c) what is the amount of Income-tax arrears in the country at present?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):

(a) The total amount of Income-tax (including Corporation-tax) realised during the financial year 1974-75 on the basis of Departmental figures was Rs. 1544.00 crores.

(b) Figures of Income-tax collection (excluding collection under the Voluntary Disclosure of Income and Wealth Ordinance, 1975) are available up to 30th November, 1975. The comparative figures of collection of Income-tax (including Corporation-tax) after the promulgation of emergency i.e., July to November, 1975 with the corresponding period of 1974-75 and 1973-74 are as under:—

Year	(Amount in crores of Rs.)		Percentage of increase over the pre- ced- ing year
	Amount of collection during July to Novem- ber	Increase	
1973-74	446.96	..	
1974-75	489.15	42.19	9.4%
1975-76	661.87*	172.72*	35.3%

*(Provisional figures)

On the basis of the information available so far, the Income-tax payable and the Income-tax paid upto 31st December, 1975 under the Voluntary Disclosure of Income and Wealth Ordinance, 1975 are as under:—

	(Rs. crores)
Income Tax payable	239.70
Income Tax paid	150.03

(c) The latest figures of arrears of Income-tax (including Corporation-tax) are available as on 30th September, 1975. The gross and net arrears of Income-tax (including Corporation-tax) outstanding as on that date were as under:—

	(Rs. crores)
Gross arrears	911.22
Net arrears	656.55

Production of Sub-Standard Cloth

382. SHRI C. K. CHANDRAPPAN: SHRI B. S. BHAURA:

Will the Minister of COMMERCE be pleased to state:

(a) whether textile mills had been producing sub-standard cloth so much so that the private trade which is associated with its distribution had refused to lift the stock; and

(b) if so, whether Government have taken action against the mill owners and Textile Commissioner responsible for passing the materials?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) In the second half of 1974, there were complaints about the quality of controlled cloth being produced by the mills. A remedial action was taken by way of notifying improved specifications effective from 1st March, 1975 and the controlled cloth produced since then is generally meeting with the consumers' acceptance. Private trade had not been associated with the distribution of controlled cloth since 9th October, 1972.

(b) wherever mills have not produced controlled cloth in accordance with the specifications, the Textile Commissioner has taken action for non-compliance.

Indianisation of Foreign Companies

383. SHRI C. K. CHANDRAPPAN:
SHRI C. JANARDHANAN:

Will the Minister of FINANCE be pleased to state:

(a) whether the Reserve Bank of India has asked a large number of foreign majority companies to submit their proposals for dilution of equity in favour of Indian nationals or financial institutions;

(b) whether the report upto 31st March, 1975 indicates that 19 foreign companies out of which 16 are branches of multinational corporations went for Indianisation through the process of additional equity share issue; and

(c) whether the Reserve Bank of India is not strictly enforcing provisions of Foreign Exchange Regulation Act in dealing with the multinational companies?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHTAGI): (a) and (b). According to information available with Government, the Reserve Bank of India have upto December 31, 1975 asked 92 and 125 foreign companies to reduce their non-resident interest to 74 per cent and 40 respectively. This dilution is to be brought about by reduction in non-resident interest with the approval of the Reserve Bank of India and Controller of Capital Issues, wherever necessary, either by disinvestment or by issue of additional shares to Indians only or by both.

(c) No, Sir. All the applications received from foreign companies, including multinational companies, under Section 29 of Foreign Exchange Regulation Act are being dealt with by the Reserve Bank of India in accordance with the Guidelines issued for the administration of Section 29 of FERA, 1973.

Development of Periyar Lake

384. SHRI K. LAKKAPPA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether his Ministry has neglected the development of Periyar Lake which is a famous game sanctuary;

(b) whether no money has also been provided for development of game sanctuaries in Karnataka State; and

(c) whether Government have any time bound programme to improve the situation?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) No Sir. A statement of expenditure incurred by the Central Department of Tourism for the development of tourist facilities at Periyar Lake is given in the enclosed statement.

(b) Administrative approvals and expenditure sanctions for a Rest House at Dandeli Wild Life Sanctuary (Rs. 6.63 lakhs) and a Rest House at Bandipur Wild Life Sanctuary (Rs. 7.22 lakhs) were issued respectively on 9th August, 1972 and 14th August, 1972.

The work on the Rest House at Dandeli was taken up in mid-1973 and an expenditure of Rs. 2.49 lakhs has been incurred. The work on the project at Bandipur Wild Life Sanctuary was not taken up due to the ban on new construction which came in force while tenders for the work were being considered. Four Mini-buses for viewing the Wild Life, at a total cost of Rs. 1.64 lakhs have been provided during the Fourth Five Year Plan for Bandipur, Dandeli, Bannerghatta and Nagarhole Wild Life Sanctuaries.

An amount of Rupees twenty one and half lakhs has been provided by the State Government for development of Game Sanctuaries besides another four lakhs provided by the Govern-

ment of India for Project Tiger during 1975-76.

(c) Provision has been made in the Five Year Plan Schemes of the Department to take up construction of

Forest Lodge at Bandipur Wild Life Sanctuary and at Periyar Lake. Boat for Periyar Lake is also included in these schemes. These will be taken up subject to availability of funds.

Statement

Year	Name of the Scheme	Amount
Second Five Year Plan	Improvement of Rest House at Thekkady	40,000
Third Five Year Plan	(i) Improvement of Rest House at Thekkady (spill-over)	2,04,608
	(ii) Provision of launches for the use of tourists to see wild animals (Periyar Lake)	64,983
	(iii) Slopir g Jetty at Thekkady	48,000
Annual Plan 1967-68	Purchase of motor launches for Per yar Lake Wild Life Sanctuary	50,000
Annual Plan 1968-69	Expansion of Aranya Niwas hotel at Thekkady	3,000

Export of Goods from South Indian States

385. SHRI K. LAKKAPPA: Will the Minister of COMMERCE be pleased to state:

(a) whether his Ministry has made any effort to increase the export of various items of goods particularly from South Indian States in view of the downward trend of such exports so far; and

(b) if so, the steps taken by Government recently?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). No specific measures are adopted by this Ministry for increasing the export of items from individual States. However, all possible steps are being taken by the Government to strengthen the production base and promote exports of items with promising potential for increased export earnings.

S.T.C. Branch at Bangalore to boost the Export Promotion in Karnataka

386. SHRI K. LAKKAPPA: Will the Minister of COMMERCE be pleased to state whether his Ministry has any proposal to open a Branch of S.T.C. at Bangalore in order to ensure more facilities and convenience to boost the export promotion in Karnataka?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): State Trading Corporation has decided to establish a Branch Office at Bangalore.

Allocation of Funds for Implementation of 20-Point Economic Programme in Karnataka

387. SHRI K. LAKKAPPA: Will the Minister of FINANCE be pleased to state:

(a) whether Government of Karnataka has made any request for allocation of funds for speedy implementa-

tion of 20-Point Economic Programme in the State; and

(b) if so, the reaction of his Ministry in this regard?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHTAGI): (a) and (b). The Government of Karnataka have requested for a special advance Plan assistance of Rs. 15 crores for the Kalinadi hydro-electric project and Rs. 3 crores for the Malaprabha project. They have also requested for a special assistance of Rs. 1 crore outside the Plan for implementing the intensive handloom development project in Bijapur district. The Government of India have agreed to provide special advance Plan assistance of Rs. 10 crores for the Kalinadi project and Rs. 3 crores for the Malaprabha project subject to the State Government fulfilling the prescribed conditions. The request of the State Government for assistance for the intensive handloom development project is under consideration of Government.

Seizure of Contraband Gold and Silver from Jaivilas Palace, Gwalior

388. DR. RANEN SEN: Will the Minister of FINANCE be pleased to state:

(a) whether Government have found contraband gold and silver during searches of Gwalior Jaivilas Palace in August, 1975;

(b) if so, the particulars thereof; and

(c) what step Government have taken against the "Rajmata" for gross economic offences?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):

(a) and (b). Searches were conducted by the Income-tax authorities along with Gold Control authorities at Jaivilas Palace belonging to the former ruling family of Gwalior.

As a result of the searches the Gold Control authorities seized in October and November, 1975 at Jaivilas Palace, Gwalior, primary gold, gold articles and ornaments mentioned below which were not declared under Gold (Control) Act:

Description	Quantity (in Kgs.)	Value (Rs. in lakhs)
Primary Gold	54	28
Gold articles	72	36
Gold ornaments	24	8
TOTAL	150	72

Out of the total quantity of gold mentioned above, round gold bars in the shape of bangles weighing 50 kgs. valued at Rs. 25 lakhs were also seized under the Customs Act.

As a result of the searches the Income-tax Department seized the following valuables:—

Description	Value (Rs. in lakhs)
Jewellery	55
Silverwares (weight 35 quintals).	38
TOTAL	93

Further the following articles were sealed by the Income-tax Department under prohibitory orders under section 132(3) of the Income-tax Act, pending further verifications of the explana-

tions furnished by the assessees in matter:—

Description	Value (Rs. in lakhs)
Jewellery	57
Gold articles & Ornaments	25
Silverwares	25
TOTAL	107

(c) Investigations are in progress. Action as called for under the concerned laws will be taken after the present investigations.

Development of Places in Faizabad as Tourist Centres

389. SHRI R. K. SINHA: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) the names of places in Faizabad division of Uttar Pradesh which have been developed as tourist centres during the last three years and the number of tourists who visited these places during that period; and

(b) the names of places proposed to be developed there as tourist Centres during the year 1976?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) As the emphasis in the Central Tourism Plan is to stimulate international tourism for earning foreign exchange, no tourism developmental programme in the Faizabad Division has been taken up in the Central Sector.

Since foreign tourist statistics are not maintained on place-wise or State-wise basis, the number of tourists visiting places of interest in Faizabad Division is not maintained by the Central Government. It is, however, understood that a large number of

pilgrims visit Ayodhya on Ramnavami and Kartiki Purnima.

In the last 3 years, the State Government has established a Regional Tourist Office at Ayodhya, and a Tourist Bureau at Gonda to assist pilgrims visiting Sravasti.

(b) There are no proposals to develop tourist centres in Faizabad Division during the year 1976 in the State Sector due to economic constraints.

Soviet help for clearing Stocks of Cashewnuts

391. SHRI M. KALYANASUNDARAM: Will the Minister of COMMERCE be pleased to state:

(a) whether the Soviet Union has come to the assistance of Indian Cashewnut exporters to mitigate the piling up of unsold stocks; and

(b) if so, the facts thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). In October '75 USSR purchased 5000 metric tonnes of Cashew Kernels which helped to relieve the accumulation of stocks at the time.

Raids after Declaration of Emergency

392. SHRI HARI KISHORE SINGH: SHRI R. S. PANDEY:

Will the Minister of FINANCE be pleased to state:

(a) the total amount seized during the raids conducted after the declaration of Emergency;

(b) the number of big business houses involved in the seizure; and

(c) the total number of cases disposed of so far?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT

OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) to (c). Statistics regarding search and seizure operations conducted by the Income-Tax Authorities are maintained on monthly basis, case-wise and not group-wise. These are presently available for and upto November, 1975.

During the period June—November, 1975, assets of the value of over Rs. 12.8 crores were seized as a result of search and seizure operations carried out by the Income-Tax Authorities; in 24 cases seizure of assets exceeded Rs. 5 lakhs.

After a search involving seizure of valuable assets, the first step is to estimate the undisclosed income in a summary manner and pass an order under section 132(5) of the Income-tax Act, 1961, for retaining such of the seized assets as are considered to be sufficient to satisfy the tax liability (including interest and penalty in respect of seizures made on or after 1-10-75) on the estimated undisclosed income and any existing tax liability. This order has to be passed within 90 days of the search. The regular assessment proceedings are then taken up; penalty and/or prosecution proceedings being initiated wherever warranted.

Production of Controlled Cloth

393. SHRI HARI KISHORE SINGH: Will the Minister of COMMERCE be pleased to state:

(a) whether the textile industry has not been following the directives of Government towards production of controlled cloth; and

(b) if so, the steps taken by Government to ensure adequate production of controlled cloth?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) No, Sir.

(b) Does not arise.

Seizure of Contraband Goods in Bombay and Gujarat

394. SHRI R. S. PANDEY: Will the Minister of FINANCE be pleased to state:

(a) whether, after the declaration of Emergency in the country, big hauls of contraband goods have been seized in Bombay and Gujarat; and

(b) if so, the value of the goods seized?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) Yes, Sir. After the declaration of Emergency, 70 seizures of contraband goods, valued at more than Rs. 1 lakh in each case, were effected in Bombay and Gujarat.

(b) The value of the goods seized as a result of these seizures was Rs. 4,16,34,826.

Proposal to delink D.A. from Basic Salaries of Government Employees and Industrial Workers

395. SHRI P. G. MAVALANKAR: Will the Minister of FINANCE be pleased to state:

(a) whether Government propose to delink the D.A. from the basic salaries and pay scales of Government employees and industrial workers; and

(b) whether Government have paid any D.A. increases, even if in instalments, to Central Government employees during the year 1975?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI):

(a) At present, the dearness allowance pattern is different in different establishments. In some cases, it is linked

to pay and in other cases it is not. The wages and D.A. of industrial workers in the organised industries are fixed either by awards of Tribunals, recommendations of Wage Boards or bipartite agreements, and the Government is not directly involved. In many of these awards and agreements, D.A. has been linked to cost of living index numbers, and is payable at the same rate and quantum to all the employees covered, irrespective of the Wages/ pay draws by them. There is no proposal at present to change the existing schemes.

(b) Yes, Sir. Orders were issued on 30-1-1975 for payment of three instalments of additional D.A. to Central Government employees with effect from 1-6-74, 1-7-74 and 1-9-74 respectively. Again, orders were issued on 4-9-1975 for payment of five more instalments of D.A. to Central Government employees with effect from 1-10-74, 1-11-74, 1-12-74, 1-2-75 and 1-3-75 respectively.

**Visit of Finance Minister to U.S.A.
and other Countries**

396. SHRI P. G. MAVALANKAR: Will the Minister of FINANCE be pleased to state:

(a) whether he visited U.S.A. and other countries during the second half of 1975;

(b) if so, the purpose of such a visit; and

(c) the results achieved in this regard?

THE MINISTER OF FINANCE (SHRI C. SUBRAMANIAM): (a) to (c). In the last week of August, 1975 I visited USA to attend the meetings of the Group of 24, Interim/Development Committees of the IMF/IBRD and the Annual Meetings of the IMF/IBRD. Questions relating to international monetary reforms and transfer of resources to developing countries came up for discussion.

Civil Aerodrome, Ahmedabad

397. SHRI P. G. MAVALANKAR: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state whether the work of renovating the existing terminal building at the Civil Aerodrome, Ahmedabad is progressing as per schedule?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): Major modifications have already been completed. Minor modifications sanctioned later could not progress as per schedule as such modifications involved conversion of a portion of the existing restaurant into a departure holding area. The catering contractor objected to the reduction in the restaurant area and filed a suit against the Civil Aviation Department for the reduction of licence fee. After negotiations, the catering contractor was prevailed upon to permit modification works to be resumed and the work was started in October, 1975 and is expected to be completed in March, 1976.

Proposal to put up I.T.D.C. Hotel in Ahmedabad

398. SHRI P. G. MAVALANKAR: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state whether Government have before them a proposal to put up a new three or four star India Tourism Department Corporation hotel in Ahmedabad in Gujarat very soon?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): The Fifth Five Year Plan of the India Tourism Development Corporation includes a provision of Rs. 75 lakhs for the construction of a 3-star 60 room hotel at Ahmedabad. The implementation of the project will be taken up subject to satisfactory feasibility study and availability of funds.

Payment of Dearness Allowance to Central Government Employees

399. SHRI S. M. BANERJEE: Will the Minister of FINANCE be pleased to state:

(a) whether 8th instalment of dearness allowance has been paid to the Central Government employees; and

(b) if not, when this amount will be paid?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) The reference is presumably to the additional instalment of dearness allowance on the basis of the index average of 320. If so, the answer is 'No, Sir'.

(b) The matter is under consideration.

Cash Aid for export of Engineering Goods

400. SHRI JAGANNATH MISHRA: Will the Minister of COMMERCE be pleased to state:

(a) whether Government have decided to provide cash aid for export of engineering goods; and

(b) if so, the reasons therefor?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). Appropriate Cash Compensatory Support is afforded to the different engineering products to cover fiscal incidence in costing, particularly for non-traditional items, and as a promotional measure to develop markets.

Opening of Branches of Nationalised Banks in Punjab

401. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of FINANCE be pleased to state:

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(a) whether any branches of nationalised banks have been opened in Punjab during 1974-75; and

(b) if so, whether any Agricultural Bank branch has also been opened?

THE MINISTER OF STATE IN-CHARGE OF THE DEVELOPMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):

(a) Reserve Bank of India have reported that during the period July 1, 1974 to June 30, 1975 public sector banks, including the 14 nationalised banks, opened 50 branches in Punjab.

(b) The nationalised banks disburse agricultural advances through their regular branches. Only the State Bank of India and its Subsidiaries have some branches designated as Agricultural Development Branches. Two such branches were opened in the State of Punjab during 1974-75.

Revaluation of Rupee in Term of Pound Sterling

402. SHRI RAGHUNANDAN LAL BHATIA: Will the Minister of FINANCE be pleased to state:

(a) whether the Reserve Bank of India has revalued rupee in terms of sterling; and

(b) if so, whether the Bank has revised the rates for purchase and sale of pound sterling for spot delivery recently?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) Yes, Sir.

(b) Yes, Sir. The new rates effective from 5-12-1975 are given below:

Spot Buying $\text{£ 1} = \text{Rs. } 18.0784$
(As against $\text{£ 1} = \text{Rs. } 18.2584$ previously)

Spot Selling $\text{£ 1} = \text{Rs. } 18.1784$
(As against $\text{£ 1} = \text{Rs. } 18.3584$ previously)

तस्करों की सम्पत्ति को जब्त करना

403. श्री मूलचन्द डागा :

श्री भगवन्न ज्ञा :

क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या विदेशी मुद्रा संरक्षण तथा तस्कर गतिविधियां निवारण अधिनियम के अन्तर्गत गिरन्तर तस्करों की सम्पत्ति जब्त कर ली गई है; और

(ख) यदि हां, तो उनका मूल्य क्या है?

राजस्व और बंकिंग विभाग के प्रभारी राज्य मंत्री (श्री प्रणव कुमार मुक्ताजी) :

(क) श्रीर (ख). तस्कर तथा विदेशी मुद्रा उत्साहक (सम्पत्ति सम्पर्हण) अध्यादेश, 1975 के अन्तर्गत सम्पत्ति जब्त करने की कार्य ताही सक्षम प्राधिकारियों द्वारा मुरु की जानी है। आशा है कि वे शीघ्र ही कार्य करना प्रारम्भ कर देंगे।

Commissioning of Air Traffic Central Radar Simulator at Bamrouli, Allahabad

404. SHRI P. GANGADEV: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Air Traffic Central Radar Simulator has been Commissioned recently at Bamrouli in Allahabad; and

(b) if so, the salient features thereof?

THE MINISTER OF TOURISM AND CIVIL AVIATION (SHRI RAJ BAHADUR): (a) Yes, Sir. It was commissioned on 7th May, 1975 at the Civil Aviation Training Centre, Bamrouli, Allahabad.

(b) The digital Air Traffic Control Radar Simulator is intended for the training of Air Traffic Controllers in

the operation of various types of sophisticated radars. It is designed to simulate the characteristics of the long range Air Route Surveillance Radar (ARSR) having a range capability of 200 nautical miles, Airport Surveillance Radar (ASR) having range capability of 60 nautical miles and also the Precision Approach Radar (PAR). A pre-programmed high speed digital computer is used in the Simulator.

Bank Frauds

405. SHRI P. GANGADEV: Will the Minister of FINANCE be pleased to state:

(a) the number of bank frauds detected in the nationalised banks in India during the year 1974-75;

(b) the total amount involved in the pilferage and how much out of it has been recovered; and

(c) steps taken by Government in this regard?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE):

(a) and (b). According to the information available with the Reserve Bank of India, the number of frauds (which includes pilferages, thefts, cash shortages, robberies, dacoities, misappropriation etc.) in the 14 nationalised banks during the period 1-4-1974 to 31-3-1975 was 302 involving an amount of Rs. 1.5 crores approximately. Reserve Bank of India does not maintain statistics separately for pilferages. As the recovery procedures are different in respect of different kinds of frauds and are also at various stages, it is not possible to indicate the precise amount recovered.

(c). Nationalised banks have their own books of instructions indicating

the precautions which they should generally take to prevent the occurrence of frauds. Whenever a fraud is detected, the banks generally caution all their other branches depending upon the *modus operandi* of the fraud. In terms of the instructions issued by the Reserve Bank of India, all banks are required to send a report to the Reserve Bank of India about all frauds perpetrated in their offices as soon as such frauds come to their notice. After going through the *modus operandi* of the frauds and the laxities, if any, in observing the usual internal controls designed to prevent the commission of frauds, the banks concerned are advised by R.B.I. about the safeguards and precautions to avoid the recurrence of such frauds.

Depending upon the nature and magnitude of the fraud, cases are handed over to Local Police or the Central Bureau of Investigation for detailed investigation or investigated by the banks themselves departmentally. Government have issued certain guidelines to the nationalised banks regarding the cases which should be handed over to Local Police, the Central Bureau of Investigation or to be investigated by the banks departmentally.

All the nationalised banks have already accepted the jurisdiction of the Central Vigilance Commission and have set up Vigilance Cells in their Organisations.

Policy of Transfer and Posting in C.D.A., Patna

406. SHRI RAMAVATAR SHASTRI: Will the Minister of FINANCE be pleased to state:

(a) the number of IDAS Officers, Accounts Officers and Section Officers (Accounts) posted in the Min Office of the Controller of Defence Accounts Patna in Bihar and its Sub-offices

located outside for more than three years; and

(b) whether the policy of rotational transfer is not followed in the case of these officers unlike Auditors and Clerks?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) The information is being collected and will be laid on the Table of the House as early as possible.

(b) The number of posts of Auditors/Clerks under C.D.A., Patna in the State of Bihar is much less than the staff belonging to that State and serving in his organisation. Consequently many of the staff belonging to Bihar have to serve outside their home State in outlying and field service areas. The system of rotational transfers enables such staff to get a posting in their home State. The position in respect of supervisory staff including IDAS officers is different in this regard and rotational transfers are neither necessary nor always administratively feasible.

Losses suffered by Transport Division of I.T.D.C.

407. SHRI RAMAVATAR SHASTRI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether the Transport Division of India Tourism Development Corporation incurred huge losses in 1974-75;

(b) whether the Unions affiliated to I.N.T.U.C. and A.I.T.U.C. have drawn attention of the Management to various malpractices resulting in loss of business and deterioration of client services; and

(c) if so, the action taken by the Management to look into the complaints?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL

AVIATION (SHRI SURENDRA PAL SINGH): (a) The Transport Division of India Tourism Development Corporation incurred a loss of Rs. 14.05 lakhs during 1974-75 mainly because of upward revision of wages involving an additional expenditure of Rs. 12.64 lakhs and sharp increase in the prices of petrol (over 100 per cent), tyres, tubes, spare parts, etc.

(b) and (c). The Unions affiliated to the INTUC and AITUC have sent complaints about alleged malpractices and passing on of the India Tourism Development Corporation business to private agencies.

On receipt of complaints, surprise raids were carried out and specific instances investigated. Wherever *prima facie* case was established, suitable disciplinary proceedings have been initiated.

Development of Narora (U.P.) as a Tourist Centre

408. SHRI HARI SINGH: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government have any plan to develop Narora in District Bulandshahr of Uttar Pradesh as a tourist centre; and

(b) if so, the salient features thereof?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) No, Sir.

(b) Does not arise.

Recruitment in Tourism Department

409. SHRI HARI SINGH: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether in 1975 several new Gazetted and non-Gazetted officers

have been recruited in the Tourism Department;

(b) if so, what is their number; and

(c) whether the reserved quota of scheduled castes has been filled up according to the total number of vacancies?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) Yes, Sir.

(b) 54 (upto 22nd December 75).

(c) The reservations in favour of Scheduled Castes and Scheduled Tribes are regulated in accordance with the orders issued by the Department of Personnel and Administrative Reforms.

The number of vacancies reserved for scheduled castes came to 8 out of which 6 persons belonging to these communities have been recruited. The remaining 2 vacancies which could not be filled in due to non-availability of suitably qualified candidates have been carried forward and recruitment action in respect thereof is under way.

सेवा से हटाये गये होटलों में काम करने वाले कर्मचारी

410. श्री हरी सिंह : क्या पर्यटन और नागर विभाग मर्किंग यह दिताने की कृपा करेंगे कि :

(क) क्या आनात-स्थिति की ओरणा के बाद भारतीय पर्यटन विकास निगम और पर्यटन विभाग के होटलों में काम करने वाले कुछ निम्न वेतन भोगी तथा शीघ्र श्रेणी के कर्मचारियों को सेवा से हटा दिया जाया है;

(ख) यदि हाँ, तो उनकी संख्या कितनी है; और

(ग) उनमें से अनुसूचित जातियों के कितने कर्मचारी हैं?

पर्यटन और नागर विभानन मंत्रालय में राष्ट्र बंडी (श्री तुरेन्द्र पाल सिंह) : (क) से (ग). आपातकालीन स्थिति को धोयगा से अब तक भारत पर्यटन फ़िकास निगम के होटलों के सात कर्मचारी बदाचार की बजह से सेवा से निकाल दिए गये हैं। एक और कर्मचारी की सेवाएं उनका परिवीक्षा-प्रबंधि के द्वारा ही अव्योग्यता के कारण समाप्त कर दी गई हैं। इन में से दो अनुसूचित जाति के थे।

ये कर्मचारी निम्न वेतनमानों में थे :—

160— 310	रुपये	1
170— 325	रुपये	1
190— 350	रुपये	1
200— 380	रुपये	2
220— 425	रुपये	1
270— 525	रुपये	1
300— 615	रुपये	1

भारत पर्यटन विकास निगम के होटलों में चतुर्थ श्रेणी के कोई कर्मचारी नहीं हैं।

पर्यटन विभाग कोई होटल नहीं चलाता।

नागर विभानन विभाग में भर्ती

411. श्री हरी सिंह : क्या पर्यटन और नगर विभानन मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या 1975 में नागर विभानन विभाग में राजनवित तथा अराजनवित अधिकारियों की भर्ती की गई है;

(ख) उनकी कुल संख्या कितनी है; और

(ग) क्या उन पर्यटन में से आरक्षित पूरे कोटे के अनुज्ञार हाँरजन अधिकारियों की भी भर्ती की गई है?

पर्यटन और नागर विभानन बंडी (श्री राज बहादुर) : (क) से (ग). अपेक्षित सूचना एकवित की जा रही है और समा पटल पर रख दी जायेगी।

Wholesale Price Index

412. SHRI JYOTIRMOY BOSU: Will the Minister of FINANCE be pleased to state:

(a) whether Government, in a recent official review, have claimed that inflation has been contained and that war on inflation is over;

(b) what was the wholesale price index for all commodities as on 30th April, 1972;

(c) what is the index now (latest available months); and

(d) what is the impact of the fall in growth rate of wholesale prices on retail prices from April, 1973 to October, 1975?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) to (c): That inflation has been contained will be evident from the fact that the Index of Wholesale Prices (1961-62=100) which stood at 192.8 for the week ended April 29, 1972 and rose to a peak of 330.7 for the week ended September 21, 1974, declined to 295.7 for the week ended December 20, 1975 (the latest available). It was,

thus, 6.6 per cent below the level obtaining a year earlier.

(d) Although movements in retail prices normally tend to follow those in wholesale prices with a short time lag, it is not possible to establish a close correspondence between the Wholesale Price Index and the Consumer Price Index because of differences in coverage. However, the Table laid on the Table of the House shows that the trends in the movements of the two series are broadly similar. [Placed in Library. See No. LT-10067/76].

Profits earned by Nationalised Banks, Non-Nationalised Banks and Foreign Banks

413. SHRI JYOTIRMOY BOSU: Will the Minister of FINANCE be pleased to state:

(a) total profits earned by nationalised banks, non-nationalised banks

and foreign banks, year-wise during the last three years;

(b) total amount remitted by each foreign bank under each head, year-wise during the last three years;

(c) whether a number of foreign banks have sought the permission of the Reserve Bank of India to open new branches in this country; and

(d) if so, the facts thereof and Government's reaction thereto?

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): (a) The net profit earned by the Public Sector Banks, other Indian Scheduled Commercial Banks, Non-Scheduled Banks and Foreign Banks, during the years 1972, 1973 and 1974, as per their published Balance Sheets are as given below:—

	(Rs. in lakhs)		
	1972	1973	1974
I State Bank of India Subsidiaries of S.B.I.	385 51 — 436	412 54 — 466	461 61 — 522
II. 14 Nationalised Banks	1544	1849	2298
Total of I & II	1980	2315	2820
III. Other Indian Scheduled Commercial Banks	146	149	324
IV. Non-Scheduled Banks	2	1	7
V. Foreign Banks	390	420	628

(b) The information to the extent possible is being collected and will be laid on the Table of the House.

other foreign bank to open branches in India since July, 1969.

Production of Cloth

414. SHRI JYOTIRMOY BOSU: Will the Minister of COMMERCE be pleased to state:

(c) and (d). No foreign bank has applied to the Reserve Bank for opening a new branch in India during the last one year; except for Sonali Bank, Dacca, the Reserve Bank has not granted permission to any

(a) whether on December 2, 1975, Government had announced a new

textile policy, giving one year exemption to the National Textile Corporation and private textile mills from producing controlled cloth;

(b) total quantity of controlled and non-controlled cloth produced by the mills, year-wise from 1973 to 1975;

(c) percentage of increase in the prices of controlled and non-controlled cloth, year-wise from 1973 to 1975; and

(d) present accumulation of stocks of controlled cloth in various mills. State-wise?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):
(a) Exemption from production of controlled cloth has been given for a period of one year to mills, in private sector as well as the nationalised sector, which have shown accumulated losses after accounting for reserves in their latest balance sheet.

In respect of non-controlled cloth the percentage changes in the mill-made cloth price index are as under:

Year	Mill cloth Index	Average Percentage variation over preceding year
1973	178.4	—
1974	235.4	31.95
1975 (Jan/Nov.)	236.6	0.50

(d) Accumulation at the end of November 1975 was estimated to be 82,537 bales. The details of accumulation, State-wise and mill-wise, however, are not readily available.

Fall in Prices of Essential Commodities

415. SHRI DINESH CHANDRA GOSWAMI: Will the Minister of FINANCE be pleased to state:

(a) the percentage of decline in the inflationary trend of essential commodities after the proclamation of emergency; and

(b) the assessment of Government as to whether this trend is likely to continue in the next financial year?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): (a) The All-India Industrial Workers' Consumer Price Index (1960=100) declined from 328 for June to 316 for October 1975, indicating a fall of 3.7 per cent.

(b) It is not possible to state whether a declining trend will continue in 1976-77. However, the current rising trend in agricultural and industrial output, and expectation of further improvement next year, provided the monsoons are normal, indicate that a measure of price stability would tend to continue for some time to come.

(b)	Year	Controlled cloth production (Million square metres)	Non-controlled cloth production (Million square metres)
1973		428	3,616
1974		678	3,508
1975 (Jan—Sep.)		535	2,401

(c) Prices of controlled cloth were increased with effect from 1st April, 1974, by 80 per cent over the May, 1968 price levels and no further increase has been allowed thereafter.

Cultivation of Jute Eastern Region

416. SHRI DINESH CHANDRA GOSWAMI: Will the Minister of COMMERCE be pleased to state:

(a) whether due to unremunerative prices, cultivators in the Eastern region have shown disinclination towards cultivation of jute; and

(b) if so, what steps Government are taking to remedy the situation?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) There has been a decline in the area under jute cultivation in the recent past due to two factors viz. (i) weather condition and (ii) competing crops being more remunerative.

(b) Government has been fixing statutory minimum support price for raw jute every year on the basis of the APC's recommendations. The Jute Corporation of India has been conducting purchase and price support operation for maintaining the prices at or above the prices fixed, so as to ensure fair returns to the jute cultivators. Intensive Jute District Programme has been taken up in all the major jute growing States as a Centrally Sponsored Scheme for boosting jute production. The emphasis, however, is on higher yield per hectare rather than on increase in the area under jute so that the cultivator gets a better return.

Trade with Bangladesh

417. SHRI SHYAM SUNDAR MOPATRA: Will the Minister of COMMERCE be pleased to state:

(a) whether trade between India and Bangladesh is normal; and

(b) whether a new trade agreement has been signed to further the scope of trade and commerce?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) and (b). Trade between India and Bangladesh is proceeding according to the trade Protocol signed between the two countries on 17th December, 1974. This trade Protocol flows from the Trade Agreement signed between India and Bangladesh in September, 1973. Trade talks for 1976 are being held from the 7th to 12th January, 1976.

Value of Rupee

418. SHRI P. M. SAYEED: Will the Minister of FINANCE be pleased to state:

(a) whether the exchange value of Indian rupee has appreciated after the de-linking of rupee from the British sterling; and

(b) if so, to what extent and what further steps Government propose to take to strengthen the rupee in the international market?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI-MATI SUSHILA ROHATGI): (a) Yes, Sir.

(b) The average of RBI's buying and selling rates before delinking of rupee from Pound Sterling was Rs. 18.80 and after the change-over on 25th September, 1975 it was Rs. 18.3084 to a Pound Sterling. Since 5th December, 1975 the rate is Rs. 18.1284 to a Pound Sterling.

After the proclamation of Emergency and with the coming into force of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, smuggling and illegal remittances have come down considerably and there has been a substantial increase in inward remittances through official channels. Inflation has been brought under check and there is a downward trend in the

prices of a number of commodities. All these are expected to have a stabilising effect on the exchange value of the rupee.

Export of Tea

419. DR. RANEN SEN: Will the Minister of COMMERCE be pleased to state:

- (a) whether export of tea is increasing since last few years;
- (b) the steps taken to increase production of tea and improve its quality;
- (c) whether any step has been taken to take over sick tea gardens; and
- (d) if so, the main features thereof?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) Yes, Sir.

(b) Tea Board's Development Schemes viz. Tea Plantation Finance Scheme and Replantation Subsidy Scheme provide Financial Assistance for extending new areas and/or Replanting/Replacing old areas. The Tea Machinery Hire Purchase Scheme assists modernisation of factories or expanding existing factories. These Schemes collectively help in increasing not only production but also quality of Tea. Recently the replanting subsidy scheme has been amended to cover rejuvenation pruning with or without infilling. This Scheme will assist in improving production of quality teas in hill areas. The Tea Board provides assistance in ensuring availability of various inputs like fertilizers, coal, furnace oil, weedicides, pesticides, etc.

(c) and (d). Measures including take over of management to rehabili-

tate the gardens which can be revived back to normalcy have been settled by Government, and the proposals for introducing legislation to amend the Tea Act, 1953 to provide for taking over management of such gardens have been finalised.

मिल को वस्तुओं वा नियंत्रित

420. श्रा० लक्ष्मीनारायण पांडेय ::
क्या आणिंदय मंत्री यह बताने की हृषा
करेंगे कि :

(क) भारत-मिल करार के अन्तर्गत भारत मिल को किन वस्तुओं का नियंत्रित करेंगा ;

(ख) इस नियंत्रित में भारत को कितनी आय होगी ; और

(ग) मिल के आवात किये जाने वाले अप्पोदित तेल का कितना मूल्य दिया जायेगा ?

आणिंदय मंत्रालय में उपमंत्री (श्री विश्वनाथ प्रताप सिंह) : (क) से (ग). मिल के अखब गणराज्य के साथ 1-1-1976 से 31-12-1976 के लिए एक व्यापार प्रबन्ध संपत्र किया गया है। इस व्यापार प्रबन्ध में यह व्यवस्था है कि भारत से 60 करोड़ रुपये मूल्य के कोक कर कोयला, लोह अयस्क, लोहा तथा इसात, चाय, पटसन, माल, इंजीनियरी सामान औषधियां, भेदजीय पदार्थ तथा रासायनिक पदार्थ, चीनी, तम्बाकू, प्लाईबुड प्रादि के नियंत्रित किये जायेंगे तथा मिल से उतने ही मूल्य के कच्चे तेल तथा अन्य वस्तुओं के आयात किये जायेंगे।

Export of Long Staple Cotton

421. SHRI VASANT SATHE:
SHRI BHAOOSAHAIB
DHAMANKAR:

Will the Minister of COMMERCE be pleased to state:

(a) whether Government have permitted Cotton Corporation of India to export long staple variety of cotton;

(b) whether Government of Maharashtra has recently sought permission for export of long staple cotton; and

(c) if so, the reaction of Central Government thereto?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH):

(a) and (b). Yes, Sir.

(c) 2.15 lakh bales of long staple cotton of 1974-75 cotton crop have been permitted for export.

Finances of State Governments

422. SHRI VASANT SATHE: Will the Minister of FINANCE be pleased to state:

(a) whether Reserve Bank of India has recently conducted a study of the Finances of the State Governments;

(b) if so, what are the important findings;

(c) the reaction of Government thereto; and

(d) what effective steps are taken/proposed to make the States raise additional resources from farm sector which still remains substantially untapped?

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRI

MATI SUSHILA ROHATGI): (a) The Reserve Bank have published an article on the finances of the State Governments, 1975-76 based on their budgets, in the RBI Bulletin for September, 1975.

(b) The main findings of the study are that the States' tax revenues do not respond adequately to the growth in the national income and that this is as mainly because of the States' relying heavily on a few taxes, leaving the agricultural income outside the purview of progressive direct taxation. Though the State budgets show superficially a surplus of Rs. 10 crores in the current year, this is actually likely to turn into a deficit on account of the expenditures not provided for in the budgets and the resources needed for sustaining the Plan outlay. If the States are to balance their budgets and the Plan outlays are to be sustained, the States will have to raise additional resources, especially from the farm sector, which still remains substantially untapped.

(c) and (d). The Centre has been impressing upon the States the need for mobilisation of additional resources in order to sustain the tempo of developmental activities and for raising such resources particularly from the affluent sections of the agricultural sector. The Centre has been suggesting to the States the imposition of agricultural holdings tax as recommended by the Raj Committee or a mix of other measures, like withdrawal of concessions on land revenue, levy of progressive surcharges on land revenue, levy of betterment contribution, cess on commercial crops, enhancement of water rates and of electricity tariff on agricultural lands etc. In the Annual Plan discussions with the States also, the scope and the need for raising additional resources from the agricultural sector is specifically brought to the attention of the State Governments.

मध्य प्रदेश के प्रमुख नगरों को पर्यटक केन्द्रों के रूप में घोषणा

लम्बाता की हालत में भोपाल में एक होटल का निर्माण करने का प्रस्ताव है।

423. श्री हुकम चन्द्र कछवाय : क्या पर्यटन और नागर विभाग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार का विचार मध्य प्रदेश के प्रमुख नगरों जैसे इंदौर, उज्जैन, भोपाल, ग्वालियर, शिवपुरी, जबलपुर, रीवा, विलासपुर और रायपुर को पर्यटक नगरों के रूप में घोषित करने का है और यदि हाँ, तो कब; और

(ख) क्या पर्यटन विभाग का विचार इन नगरों में कुछ होटल खोलने का है ?

पर्यटन और नागर विभाग मंत्रालय में राज्य मंत्री (श्री सुरेन्द्र पाल सिंह) : (क) ऐसी कोई निर्धारित प्रणाली नहीं है जिसके द्वारा स्थानों को पर्यटन केन्द्रों के रूप में घोषित किया जाता हो। केन्द्रीय औत्र में पर्यटन केन्द्रों का विकास इस आधार पर निर्धारित किया जाता है कि क्या वे अन्तर्राष्ट्रीय पर्यटकों के लिए लोकप्रिय हैं अथवा उनमें अन्तर्राष्ट्रीय पर्यटकों को आकर्षित करने की संभावना है। इस दृष्टिकोण से, मध्य प्रदेश में खजु़ाहों, सांची, मांडू तथा भोपाल में अन्तर्राष्ट्रीय पर्यटकों के लिए पहले ही सुविधाएं प्रदान की जा चुकी हैं। काफी अधिक संख्या में देशी पर्यटकों द्वारा यात्रा किए जाने वाले मध्य केन्द्रों पर पर्यटक सुविधाओं का विकास करना राज्य सरकार का उत्तरदायित्व होगा।

(ख) पर्यटन विभाग कोई होटल नहीं चलाता है। भारत पर्यटन विकास निगम का, जो कि सरकारी क्षेत्र का एक उद्यम है, पांचवर्षीय योजनावधि के दीरान संभाविता अध्ययन तथा साधनों की उप-

Financial Assistance to State Governments for opening Hotels

424. SHRI HUKAM CHAND KACHWAI: Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state:

(a) whether Government propose to give financial assistance to some State Governments and hoteliers in the private sector to open new hotels; and

(b) if so, whether tenders have been invited for the purpose?

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): (a) Financial assistance in the form of interest bearing loans is already available to prospective hotel entrepreneurs in the private sector to open new hotels, under the Hotel Development Loan Scheme which is being operated by the Industrial Finance Corporation of India. There is no proposal at present to provide such financial assistance to State Governments.

(b) No tenders for this purpose are required. Hotel projects which have been approved by the Department of Tourism from the point of view of their suitability for foreign tourists are eligible to apply for the grant of loan under the said scheme.

Price of Raw Jute in Eastern India

425. DR. RANEN SEN: Will the Minister of COMMERCE be pleased to state:

(a) the price of raw jute in the primary markets in Eastern India this year; and

(b) whether the producers have suffered as the prices of raw jute have slumped?

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): (a) The prices of raw jute in the primary markets in Eastern India this season have been near the statutory minimum levels fixed by Government.

(b) Statutory minimum prices fixed by Government take into account all relevant factors including remunerative return to the grower.

12.00 hrs.

PAPERS LAID ON THE TABLE

NOTIFICATIONS UNDER ALL-INDIA SERVICES ACT

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS, DEPARTMENT OF PERSONNEL AND ADMINISTRATIVE REFORMS AND DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHR OM MEHTA): I beg to lay on the Table each of the following Notifications (Hindi and English versions) under sub section (2) of section 3 of the All India Services Act, 1951:—

(1) The Indian Police Service (Appointment by Promotion) Second Amendment Regulations, 1975, published in Notification No. G.S.R. 591(E) in Gazette of India dated the 29th December, 1975.

(2) The Indian Administrative Service (Recruitment) Third Amendment Rules, 1975, published in Notification No. G.S.R. 598(E) in Gazette of India dated the 31st December, 1975.

(3) The Indian Administrative Service (Appointment by Promotion) Fifth Amendment Regulations, 1975 published in Notification No. G.S.R. 599(E) in Gazette of India dated the 31st December, 1975. [Placed in Library. See No. LT-10041/76].

REPORT AND AUDITED ACCOUNTS OF DEPOSIT INSURANCE CORPORATION FOR 1974, REPORTS UNDER COMPANIES ACT, ANNUAL REPORT ETC., OF DELHI FINANCIAL CORPORATION, ETC.

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): I beg to:—

(1) re-lay on the able a copy of the Report (Hindi and English versions) on the working of the Deposit Insurance Corporation, Bombay, for the year ended the 31st December, 1974, along with the Audited Accounts, under sub-section (2) of section 52 of the Deposit Insurance Corporation Act 1961. [Placed in Library. See No. LT-10042/76].

(2) I beg to lay on the Table a copy each of the following reports (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:

(i) Annual Report of the New India Assurance Company Limited, Bombay, for the year 1973 along with the Audited Accounts and the Comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-10043/76].

(ii) Annual Report of the National Insurance Company Limited, Calcutta, for the year 1973 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-10044/76].

(iii) Annual Report of the Oriental Fire and General Insurance Company Limited, New Delhi for the year 1973 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT-10045/76].

(3) A copy of the Annual Report (Hindi and English versions) of the Delhi Financial Corporation together with a statement of assets and liabilities, profit and loss account and Auditor's Report for the year 1973-74 published in Notification No. F.6/9/74-Fin. (G) in Delhi Gazette dated the 25th June, 1975, under sub-section (3) of section 38 of the State Financial Corporation Act, 1951. [Placed in Library. See No. LT-10046/76].

(4) A copy of the Annual Report (Hindi and English versions) of the Agricultural Refinance Corporation, Bombay for the year ended the 30th June, 1975 along with the Audited Accounts, under sub-section (2) of section 32 of the Agricultural Refinance Corporation Act, 1963. [Placed in Library. See No. LT-10047/76].

(5) A copy of the Securities Contracts (Regulation) Amendment Rules, 1975 (Hindi and English versions) published in Notification No. G.S.R. 2641 in Gazette of India dated the 8th November, 1975, under sub-section (3) of section 30 of the Securities Contracts (Regulation) Act, 1956. [Placed in Library. See No. LT-10048/76].

(6) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 15 of the Government Savings Banks Act, 1873:—

- (i) The Post Office Savings Banks (Third Amendment) Rules, 1975, published in Notification No. G.S.R. 2399 in Gazette of India dated the 6th September, 1975.
- (ii) The Post Office Savings Banks (Fourth Amendment) Rules 1975, published in Notification No. G.S.R. 2398 in Gazette of India dated the 20th September, 1975.
- (iii) The Post Office Savings Banks (Fifth Amendment) Rules. 1975, published in Notification No. G.S.R. 2468 in Gazette of

India dated the 4th October 1975.

(iv) The Post Office Savings Banks (Fifth Amendment) Rules, 1975, published in Notification No. G.S.R. 2601, in Gazette of India dated the 1st November, 1975.

(v) The Mysore Government Savings Banks (Nomination) Amendment Rules, 1975, published in Notification No. G.S.R. 2841 in Gazette of India dated the 20th December, 1975.

(vi) The Mysore Government Savings Banks (Amendment) Rules, 1975, published in Notification No. G.S.R. 2842, in Gazette of India dated the 20th December, 1975.

(vii) The Post Office Savings Banks (Seventh Amendment) Rules, 1975, published in Notification No. G.S.R. 2843 in Gazette of India dated the 20th December, 1975. [Placed in Library. See No. LT-10049/76].

(7) A copy each of the following Notifications (Hindi and English versions) under sub-section (3) of section 12 of the Government Savings Certificates Act, 1959:—

- (i) The Post Office Savings Certificates (Second Amendment) Rules, 1975, published in Notification No. G.S.R. 2340 in Gazette of India dated the 6th September, 1975.
- (ii) The National Savings Certificates (Fifth Issue) (Second Amendment) Rules, 1975, published in Notification No. G.S.R. 2510 in Gazette of India dated the 11th October, 1975.
- (iii) The Post Office Savings Certificates (Third Amendment) Rules, 1975, published in Notification No. G.S.R. 2797 in Gazette of India dated the 13th December, 1975.

[Shri Om Mehta]

- (iv) The National Savings Certificates (Fifth Issue) (Third Amendment) Rules, 1975, published in Notification No. G.S.R. 2798 in Gazette of India dated the 13th December, 1975.
- (v) The Post Office Savings Certificates (Fourth Amendment) rules, 1975, published in Notification No. G.S.R. 2840 in Gazette of India dated the 20th December, 1975. [Placed in Library. See No. LT- 10050/76].

(8) A copy each of the following Notifications (Hindi and English versions) under section 17 of the General Insurance Business (Nationalisation) Act, 1972:—

- (i) The General Insurance (Rationalisation and Revision of Pay Scales and other Conditions of Service of Supervisory, Clerical and Subordinate Staff) First Amendment Scheme, 1975, published in Notification No. S.O. 472(E) in Gazette of India dated the 5th September, 1975 (English version) and S.O. 4471 in Gazette of India dated the 18th October, 1975 (Hindi version).
- (ii) The General Insurance (Rationalisation of Pay Scales and Other Conditions of Service of Officers) Scheme, 1975, published in Notification No. S.O. 521(E) in Gazette of India dated the 17th September, 1975 (English version) and S.O. 5242 in Gazette of India dated the 13th December, 1975 (Hindi version).
- (iii) The General Insurance (Rationalisation of Pay Scales and other conditions of Service of Officers) Amendment Scheme, 1975, published in Notification No. S.O. 672(E) in Gazette of India dated the 21st November, 1975.

(iv) The General Insurance (Rationalisation of Pay Scales and Other Conditions of Service of Supervisory, Clerical and Subordinate Staff) Second Amendment Scheme, 1975, published in Notification No. S.O. 5415 in Gazette of India dated the 27th December, 1975. [Placed in Library. See No. LT-10051/76].

(9) A copy each of the following Notifications (Hindi and English versions) under sub-section (6) of section 5 of the Emergency Risks (Goods) Insurance Act, 1971:—

- (i) The Emergency Risks (Goods) Insurance (Third Amendment) Scheme, 1975, published in Notification No. S.O. 525(E) in Gazette of India dated the 19th September, 1975.
- (ii) The Emergency Risks (Goods) Insurance (Fourth Amendment) Scheme, 1975, published in Notification No. S.O. 5039 in Gazette of India dated the 22nd November, 1975.
- (iii) The Emergency Risks (Goods) Insurance (Fifth Amendment) Scheme, 1975, published in Notification No. S.O. 705(E) in Gazette of India dated the 12th December, 1975. [Placed in Library. See No. LT-10052/76].

(10) A copy each of the following Notifications (Hindi and English versions) under sub-section (7) of section 3 of the Emergency Risks (Under-takings) Insurance Act, 1971:—

- (i) The Emergency Risks (Under-takings) Insurance (Third Amendment) Scheme, 1975, published in Notification No. S.O. 526(E) in Gazette of India dated the 19th September, 1975.
- (ii) The Emergency Risks (Under-takings) Insurance (Fourth

Amendment) Scheme, 1975, published in Notification No. S.O. 5040 in Gazette of India dated the 22nd November, 1975.

(iii) The Emergency Risks (Under-takings) Insurance (Fifth Amendment) Scheme, 1975, published in Notification No. S.O. 706(E) in Gazette of India dated the 12th December, 1975. [Placed in Library. See No. LT-10053/76].

(11) A copy each of the following Notifications (Hindi and English versions) issued under the Central Excise Rules, 1944:—

- (i) G.S.R. 593(E) published in Gazette of India dated the 29th December, 1975 together with an explanatory memorandum.
- (ii) G.S.R. 602(E) published in Gazette of India dated the 31st December, 1975 together with an explanatory memorandum.
- (iii) G.S.R. 3(E) published in Gazette of India dated the 1st January, 1976 together with an explanatory memorandum. [Placed in Library. See No. LT-10054/76].

(12) A copy of the Gold Control (Licensing of Dealers) Amendment Rules, 1975 (Hindi and English versions) published in Notification No. S.O. 745(E) in Gazette of India dated the 31st December, 1975, under sub-section (3) of section 114 of the Gold (Control) Act, 1968. [Placed in Library. See No. LT-10055/76].

(13) A copy of the Central Sales Tax (Registration and Turn-over) Amend-

ment Rules, 1975 (Hindi and English versions) published in Notification No. G.S.R. 597(E) in Gazette of India dated the 30th December, 1975, under sub-section (2) of section 13 of the Central Sales Tax Act, 1956. [Placed in Library. See No. LT-10056/76].

(14) A copy of the Central Excise (Twenty-second Amendment) Rules, 1975 (Hindi and English versions) published in Notification No. G.S.R. 592(E) in Gazette of India dated the 29th December, 1975, under section 38 of the Central Excises and Salt Act, 1944 together with an explanatory memorandum. [Placed in Library. See No. LT-10057/76].

AIRCRAFT (SECOND AMENDMENT) RULES, 1975

THE MINISTER OF STATE IN THE MINISTRY OF TOURISM AND CIVIL AVIATION (SHRI SURENDRA PAL SINGH): I beg to lay on the Table a copy of the Aircraft (Second Amendment) Rules, 1975 (Hindi and English versions) published in Notification No. G.S.R. 927 in Gazette of India dated the 26th July, 1975, under section 14A of the Aircraft Act, 1934 together with an explanatory note. [Placed in Library. See No. LT-10058/76].

STATEMENT SHOWING ACTION TAKEN BY GOVERNMENT ON VARIOUS ASSURANCES, PROMISES ETC.

THE DEPUTY MINISTER IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI B. SHANKAR-ANAND): I lay on the Table the following statements showing the action taken by the Government on various assurances, promises and undertakings.

[Shri B. Shankaranand]

given by the Ministers during the various sessions of Lok Sabha:

(i) Statement No. XXXVII—Eighth Session, 1969	}	Fourth Lok Sabha
(ii) Statement No. XXXVII—Ninth Session, 1969		
(iii) Statement No. XXX—Eleventh Session, 1970		
(iv) Statement No. XXX—Fourth Session, 1972	}	Fifth Lok Sabha
(v) Statement No. XXIII—Seventh Session, 1973		
(vi) Statement No. XIX—Eighth Session, 1973		
(vii) Statement No. XV—Ninth Session, 1973		
(viii) Statement No. XIX—Tenth Session, 1974		
(ix) Statement No. XII—Eleventh Session, 1974		
(x) Statement No. XI—Twelfth Session, 1974		
(xi) Statement No. XIII—Thirteenth Session, 1975		
(xii) Statement No. XIV—Thirteenth Session, 1975		
(xiii) Statement No. XV—Thirteenth Session, 1975		

[Placed in Library. See No. LT-10059/76].

(3) A copy each of the following statements (Hindi and English versions):—

NOTIFICATIONS UNDER ESSENTIAL COMMODITIES ACT, ANNUAL REPORT OF TRADE DEVELOPMENT AUTHORITY FOR 1974-75, STATEMENTS re. CONTROLLED CLOTH AND NOTIFICATIONS UNDER COTTON TEXTILES (EXPORT CONTROL) ORDER

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): I beg to say on the Table:—

(1) A copy each of the following Notifications (Hindi and English versions) under sub-section (6) of section 3 of the Essential Commodities Act, 1955:—

- (i) The Viscose Staple Fibre Control (Amendment) Order, 1975, published in Notification No. S.O. 2441 in Gazette of India dated the 2nd August, 1975
- (ii) The Cotton Textiles (Control) Third Amendment Order, 1975, published in Notification No. S.O. 4799 in Gazette of India dated the 15th November, 1975.
- (iii) The Cotton Textile (Control) Second Amendment Order, 1975, published in Notification No. S.O. 4403 in Gazette of India dated the 11th October, 1975 [Placed in Library. See No. LT-10060/76].

(2) A copy of the Annual Report (Hindi and English versions) of the Trade Development Authority, New Delhi, for the year 1974-75 [Placed in Library. See No. LT-10060/76].

- (i) Statement showing the packing of controlled cloth from 1st October, 1974 to 31st March, 1975.
- (ii) Statements showing the allotment of controlled cloth to various States and Retail shops out of October, 1974 packing (allotted in November, 1974).
- (iii) Statement showing allotment of controlled cloth to various States and Retail shops out of November, 1974 packing (allotted in December, 1974).
- (iv) Statement showing allotment of controlled cloth to various States and Retail shops out of December, 1974 packing (allotted in January, 1975).
- (v) Statement showing allotment of controlled cloth to various States and Retail shops out of January, 1975 packing (allotted in February, 1975).
- (vi) Statement showing variety-wise allotment of controlled cloth to various States and to Retail shops out of March, 1975 packing (allotted in April, 1975).
- (vii) Statement showing allotment of controlled cloth to various States and Retail shops out of February, 1975 packing (allotted in March, 1975). [Placed in Library. See No. LT-10061/76].

(4) A copy of Notification No. S.R.O. 373(E) (Hindi and English versions, published in Gazette of India dated the 22nd July, 1975 making certain amendment to Notification No. S.R.O. 1317 dated the 9th June, 1956, issued under clause 5 of the Cotton Textiles (Export Control) Order, 1949. [Placed in Library. See No. LT-10062/76].

RAILWAY CONVENTION COMMITTEE

(i) MINUTES

SHRI B. S. MURTHY (Amalapuram): I beg to lay on the Table the following Minutes of the Railway Convention Committee/Sub-Committee:—

(1) Minutes of First to Seventeenth, Nineteenth, Twentieth, Twenty-second to Twenty-fourth and Twenty-eight sittings of the Railway Convention Committee, 1973.

(2) Minutes of First to Sixth Sittings of the Sub-Committee of the Railway Convention Committee, 1973 on Requirements and Availability of Wagons.

(ii) ELEVENTH REPORT

SHRI B. S. MURTHY (Amalapuram): I beg to present the Eleventh Report of the Railway Convention Committee on Rate of Dividend for 1976-77 and other Ancillary Matters.

COMMITTEE ON GOVERNMENT ASSURANCES

TWELFTH REPORT

SHRI B. K. DAS CHOWDHURY (Cooch Behar): I beg to present the Twelfth Report of the Committee on Government Assurances.

**PUBLIC ACCOUNTS COMMITTEE
HUNDRED AND EIGHTY-SECOND AND HUNDRED AND EIGHTY-FOURTH REPORTS**

SHRI H. N. MUKHERJEE (Calcutta-North East): I beg to present the fol-

lowing Reports of the Public Accounts Committee:—

(1) Hundred and eighty-second Report relating to Films Division (Ministry of Information and Broadcasting) on Paragraph 49 of the Report of the Comptroller and Auditor General of India for 1972-73, Union Government (Civil).

(2) Hundred and eighty-fourth Report on Action Taken by Government on the recommendations contained in their Hundred and thirty-sixth Report relating to Import of Hop Plants (Department of Agriculture).

COMMITTEE ON PUBLIC UNDER-TAKINGS

SEVENTY-SIXTH REPORT

SHRI NAVAL KISHORE SHARMA (Dausa): I beg to present the Seventy-sixth Report of the Committee on Public Undertakings on Action Taken by Government on the recommendations contained in their Fifty-sixth Report on Indian Drugs and Pharmaceuticals Limited.

12.05 hrs.

BUSINESS OF THE HOUSE

THE MINISTRY OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): With your permission, Sir, I rise to announce that Government Business in this House during the week commencing from 12th January, 1976, will consist of:—

(1) Consideration of any part discussed item of Government Business carried over from today's Order Paper.

(2) Consideration and passing of:—

(i) The Election Laws (Extension to Sikkim) Bill, 1976.

(ii) The Imports and Exports (Control) Amendment Bill, 1976.

[Shri K. Raghu Ramiah]

(3) Discussions and Voting on Supplementary Demands for Grants (Ge-ways) for 1975-76.

(4) Consideration and passing of:—

(i) The Unit Trust of India (Amendment) Bill, 1976.

(ii) The Delhi Land Holdings (Ceil-ing) Amendment Bill, 1976.

(5) Discussion and Voting of Supplementary Demands for Grants (Railways) for 1975-76.

(6) Discussion on a Resolution regarding Report of the Railway Convention Committee.

(7) Discussion on the Resolutions seeking disapproval of the Voluntary Disclosure of Income and Wealth Ordinance, 1975 and the Voluntary Disclosure of Income and Wealth (Amendment) Ordinance, 1975 and consideration and passing of the Voluntary Disclosure of Income and Wealth Bill, 1976.

(8) Consideration and passing of the Smugglers and Foreign Exchange Manipulators (Forfeiture of Property) Bill, 1976.

MR. SPEAKER: In order to save the time of the House over this matter it was decided in the Business Advisory Committee that hon. Members who want to make any suggestions regarding the items to be taken up or included in the next week's agenda may approach the Minister for Parliamentary Affairs before every Thursday and make their suggestions. He can consider them before announcing the next week's business so that the time of the House is not taken.

If the hon. Member has not made any suggestion, he can make it now.

SHRI K. RAGHU RAMAIAH: The understanding with the leaders of the opposition was that every Thursday at 4-30 p.m. we all meet in my room and then, if I know what the subjects are which are agitating the minds of the hon. Members, then I can communi-

cate with the Ministers concerned and then communicate back to you whether it is possible or not. Now we will do that from next Thursday.

SHRI RAMAVATAR SHASTRI (Patna): How are we to know about it?

SHRI K. RAGHU RAMAIAH: Any Member can attend that meeting at 4-30 p.m. For this week's meeting we could not give advance notice. I have kept a meeting this evening at 5-30 p.m. You are all welcome.

MR. SPEAKER: Let us follow this procedure as an experiment.

SHRI BHOGENDRA JHA (Jainagar): In to-day's meeting if some proposal is put up can that be taken up at the next meeting?

SHRI K. RAGHU RAMAIAH: In any case even if you mention that now it is open to the Minister to accept or not to accept any suggestion. The idea of keeping a meeting on Thursday is that if I can get some information from the Minister, I shall be able to know it before announcing the business. That is the whole idea for fixing a meeting on Thursday.

SHRI RAMAVATAR SHASTRI: What about today?

SHRI K. RAGHU RAMAIAH: If you can mention something to me and the Minister is willing, it can be mentioned on Monday.

SHRI S. M. BANERJEE (Kanpur): The question is: we do not know anything about it. Unfortunately, I was a Member of the Business Advisory Committee and in that Committee nothing was decided. Sir, I am not going to dispute with whatever has been decided. In this particular case we came all the way to drop this in that wonderful box at 10 O'clock. What will the Minister decide. I do not know?

SHRI K. RAGHU RAMAIAH: I have got it here with me.

SHRI S. M. BANERJEE: What is going to be done about it?

SHRI K. RAGHU RAMAIAH: I have taken note of it.

12.12 hrs.

DEMANDS FOR EXCESS GRANTS (GENERAL), 1973-74

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): Sir, I beg to present a statement showing Demands for Excess Grants in respect of the get (General) for 1973-74.

SUPPLEMENTARY DEMANDS FOR GRANTS (GENERAL) 1975-76

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHTAGI): Sir, I beg to present a statement showing Supplementary Demands for Grants in respect of the Budget (General) for 1975-76.

12.13 hrs.

IMPORTS AND EXPORTS (CONTROL) AMENDMENT BILL*

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): I beg to move for leave to introduce a Bill further to amend the Imports and Exports (Control) Act, 1947.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Imports and Exports (Control) Act, 1947."

The motion was adopted.

SHRI VISHWANATH PRATAP SINGH): I introduce the Bill.

STATEMENT RE: IMPORTS AND EXPORTS (CONTROL) AMENDMENT ORDINANCE

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): Sir, I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Imports and Exports (Control) Amendment Ordinance, 1975, as required under rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha.

ELECTION LAWS (EXTENSION TO SIKKIM) BILL*

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SEYID MUHAMMAD): Sir, I beg to move for leave to introduce a Bill to provide for the extension of the Representation of the People Act, 1950 and the Representation of the People Act, 1951 to the State of Sikkim.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the extension of the Representation of the People Act, 1950 and the Representation of the People Act, 1951, to the State of Sikkim."

The motion was adopted.

DR. V. A. SEYID MUHAMMAD: I introduce the Bill.

STATEMENT RE: ELECTION
LAWS (EXTENSION TO SIKKIM)
ORDINANCE

measures to promote the welfare of persons engaged in beedi establishments.

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SEYID MUHAMMAD): Sir, I beg to lay on the Table an explanatory statement (Hindi and English versions) giving reasons for immediate legislation by the Election Laws (Extension to Sikkim) Ordinance, 1975, as required under rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the financing of measures to promote the welfare of persons engaged in beedi establishments."

The motion was adopted.

SHRI RAGHUNATHA REDDY: I introduce the Bill.

12.10 hrs.

MOTION OF THANKS ON THE
PRESIDENT'S ADDRESS—Contd.

MR. SPEAKER: Now, we take up the Motion of Thanks on the President's Address. The hon. Prime Minister.

THE PRIME MINISTER, MINISTER OF PLANNING, MINISTER OF ATOMIC ENERGY, MINISTER OF ELECTRONICS AND MINISTER OF SPACE (SHRIMATI IINDIRA GANDHI): Mr. Speaker, Sir, as usual there has been a long debate on the President's Address. But, for the first time, I felt that the speeches tried to argue rather than abuse. Even so many Members were not able to get away from their old narrowness of thinking and some arguments, if I may say so, were rather self-destructive.

Obviously, the President's speech cannot be all-embracing and cover all the points which are of interest to us or to the nation. He spoke specifically of the Twenty-Point Programme and that subject also found

BEEDI WORKERS WELFARE FUND
BILL*

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): I beg to move for leave to introduce a Bill to provide for the financing of

*Published in Gazette of India Extraordinary, Part II, Section 1 dated 9.1.76.
†Introduced with the recommendation of the President.

mention in most of the speeches in the discussion. An hon. Member opposite, Shri Sezhiyan, referring to the twenty-point economic programme asked rather derisively, 'what happened to the Fifth Five Year Plan?' Now, the twenty-point economic programme is not in lieu of the Fifth Five Year Plan nor does it in any way conflict with the basic objectives and goals of the Fifth Five Year Plan.

What is the philosophy of the programme? My hon'ble friend, Shri V. K. R. V. Rao, put it in perspective. The programme has to be looked at as a whole. First, it deals with immediate tasks and long-neglected ones. It has introduced new priorities in identifying programmes of special concern to those at the very bottom of the ladder and to impart a new thrust and vigour to their implementation. Urban people—students and house-wives—have not been forgotten. Then, there are long-term programmes such as those for irrigation and power. It also contemplates a multi-pronged drive against economic evils such as black money and smuggling which erode the resource base of our Plan. If implemented in right earnest and with a due sense of urgency and mission on the part of all the agencies concerned, the programme will make a quick and perceptible impact on the lives of our people. It will rouse public enthusiasm and secure a greater sense of commitment of the people to the goals of our Plan. Thus, it will lay the foundations for a speedier advance in the years to come.

The important thing to remember is that at a moment of raging inflation, we have taken up a major developmental programme which does not increase inflation but contains it. I do not think that this can be called a small achievement. It is an ideal expressing itself in real and practical terms. Needs and justice have been sought to be met.

The hon'ble Members also referred to the delay in the finalisation of the Fifth Plan. It is a canard to say that we have given up the Plan. The basic strategy and objectives of the Fifth Plan remain valid as I have said on previous occasions in this House. They are economic self-reliance, the development of domestic resources of energy and the removal of constraints of production such as shortages of power and transport. In fact, these objectives of the Plan have now acquired heightened significance in the light of developments on the international economic scene in the last two years. Unfortunately, the hon. Member opposite and his party came to power by exciting the people on a narrow provincial basis. But, we in this House, cannot ignore the wider aspect. Economic upheavals have thrown the economies of most developed countries into disarray. Countries which have until recently maintained a rate of growth of 10 to 15 per cent. per annum have had to lower their sights are now faced either with a negative or a negligible rate of growth. Countries which used to pride themselves on their record of price stability have become victims of double digit inflation. Was it possible for us to completely insulate our economy against the blizzard blowing across the international economic scene? If there is delay in the finalisation of the Fifth Five Year Plan, it is because, we would like the international economic situation to stabilise a little so as to enable us to plan with a greater degree of certainty and assurance. It is wrong to think that the Annual Plans are ad-hoc exercises. Annual plans are formulated within the framework of the Five Year Plan and seek to further the objectives of the Plan. We have tamed the inflationary forces that threatened to wrench our economy. Prices today are some 7 per cent lower than this time last year. This is an achievement of which we can be legitimately proud.

Our success in the anti-inflationary campaign has given us a new sense of

[Shrimati Indira Gandhi]

confidence and has improved the outlook for the Plan. In 1975-76, we provided for an increase of nearly 25 per cent in plan outlays. We are aiming at a further substantial increase in the outlays for the next year. The House should remember that the world situation today is very different from what it was when we began planning.

State plans which are largely concerned with irrigation, power, agriculture and social services are somewhat less vulnerable to the destabilisation pressures generated by turmoil in international economics. Even so, what is the record of the Tamil Nadu Government in the implementation of its State Plan. Now, Central assistance, whether it is high or low, is being released in accordance with certain principles. Some States in the south such as Andhra Pradesh and Karnataka and in the north States like Punjab and Haryana and even a relatively backward State like Madhya Pradesh, have managed to fulfil the Plan outlays which in per capita terms are far higher than that of the Tamil Nadu Government. I should like to remind the hon. member and his Party that during the days of the Congress Government under the leadership of Shri Kamaraj, Tamil Nadu used to be near the top in terms of per capita plan outlays. Today it is somewhere near the bottom. This is the plight to which this State has been reduced during the last 6 years. In the long run, the poor performance of the State in certain crucial sectors will adversely affect the prospects of the talented people of the State. It may fit in with the political strategy of the Party to make out an impressive catalogue of their minor achievements for temporary political gains. But I am deeply worried about the damage caused to the growth potential of an important State in our country or indeed of the Indian sub-continent, for in their public pronouncements, the DMK Government seems unable to forget their separatist philosophy.

I would not have referred to the poor record of the Tamil Nadu Government on the economic front but for their attempts to mislead the public into believing that the State itself is doing everything it can to further the economic progress of its people, while the Centre is standing in the way. If the State claims to have implemented the twenty-point programme already, it is welcome to nurse this delusion. But for me, the specifics in the twenty-point programme and the spirit animating it are so important that no one who has the welfare of the people at heart can rest content with what has been already attempted or achieved.

There must be a continuous search for programmes benefiting the poor and the weak and a constant endeavour to improve on the quality of implementation of such programmes. I would, therefore, ask the hon. member and his Party not to lay that flattering function to their soul, as Shakespeare said, that they have already done everything that needs to be done to implement the programme and therefore can relax into complacency. It is not those clothed in brief authority but the common people of the State who will suffer the consequences of this grand delusion.

I should like to say a few words about economic achievements under the twenty-point programme in these last six months. Consumer prices for the agricultural labourer are now 8.3 per cent lower; 27 lakh tonnes of kharif cereals have been procured against 14 lakh tonnes last year; 53 lakh bogus cards have been eliminated; public sector production in these six months is 31.5 per cent higher than last year. Industrial production gains are as follows: steel is 15.9 per cent, power generation 12 per cent, coal 12 per cent, fertiliser 43 per cent, cement 11.8 per cent, crude oil 10 per cent, 60 lakhs house sites have been distributed. The programme for the removal of bonded labour is well known as also the establishment of rural banks. Ultimately there will be fifty banks,

each with 100 branches. Irrigation is being expanded and the Godavary accord is a welcome new and significant step. Handlooms have been given a loan of nearly Rs. 5 crores. Urban property evaluation programmes and the confiscation of smugglers' properties are other items. Workers' participation has already been effected in about 75 per cent of our public undertakings and we hope to expedite the programme in the remaining months. In income-tax, 7.3 lakhs of tax-payers are now off the tax range. In the apprenticeship scheme, 1.17 lakhs of seats have already been filled up and work is progressing.

One hon. Member opposite asked: why are people not being tried if they are guilty of treason? We have—I can at least speak for myself—never used this word or questioned their patriotism. The danger is not of individual acts but of the collective challenge which was being exploited by elements within and outside the country. Their political challenge has been politically met and the unconstitutional agitation has been constitutionally repulsed. The Opposition cannot any longer hope to divide the Congress or to play one against the other, nor will the sowing of rumours help them.

It would be ridiculous for any person to claim infallibility. I have never done so. I have always considered myself a humble servant of the country. What I have said is that my assessment of trends in India and the world have so far proved correct as against the assessments made by most opposition leaders who usually echo the assessment of those outside our country. This is not because of any personal quality but because I have learnt from our great leaders to be close to the voice of the people.

When I first mentioned foreign agencies, I was ridiculed within the country and without. How do we, or any developing country for that matter,

prove or dispute the doings of agencies who have had long years of experience in a variety of countries, using all kinds of methods, and different sections of their own and the local population, besides, religious groups, journalists, academicians and so on? This is not an ordinary, everyday crime that can come under normal law. To take it lightly does not speak highly of anyone's patriotic instincts. Unfortunately the Member who spoke of this matter has become known for his cleverness in creating mischief and misunderstanding. So long as those antics were confined to this House one could look upon them with some amusement but now he has attempted to do the same in state politics with undesirable results.

I listened with great respect to Kumari Maniben. No one says or thinks that the emergency is a perfect solution or that everything is for the best. There are many imperfections. I am conscious of our shortcomings. I know also that we have people among us who may not be fully in tune with our programmes. Yet we are moving ahead. We have not compromised on any policy matter. She mentioned abuses by the bureaucracy; we are also aware of that. But I should like to point out that those abuses have not suddenly begun since the proclamation of the emergency; they have existed before also. It is our task to discover the faults and to rectify them whenever they are pointed out to us or we get any information. I know also that the difficulties in implementation are not going to be removed merely by our wishing so or declaring the emergency. They will remain because powerful classes and powerful forces at all levels are against the implementation of our policy. We do realise this. All we can say is that these forces must be combated with all the strength at our command and this is what we are trying to do. We may have setbacks, but we have moved forward and we intend to continue to do so. If there are any complaints, if

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anybody knows of cases, I shall be glad to be told of them and I shall certainly follow them up. Kumari Maniben also spoke of people drinking. Now, you know that we are trying to launch a movement against alcoholic drink. But what about that paragon of virtue in this respect—the State of Gujarat? During the Assembly election I heard of liquor being distributed in a tanker. Only the other day we all read of deaths in Surat due to the imbibing of illicit liquor.

Kumari Maniben and her party may not believe in violence and I do not dispute her saying so. But why do they join with those who do? Why do they allow this violence? As hon. Members on our side have mentioned, there were attacks at every Congress meeting held before the Assembly elections. In my meetings, while the attendance was in lakhs, 10, 15 or 25 people would throw stones, or shoes. They would shout abusive and even obscene slogans. I did not once hear any of their leaders objecting or instructing that that should not be done. One of our candidates was sought to be burnt alive and could be rescued only in the nick of time with serious burn injuries. In the recent elections there, there have been three murders of which we definitely know and many cases of violence. I do not want to read from the large number of letters and telegrams which I have received and which have been referred to the Government.

Kumari Maniben spoke of two prisoners. We all know that Shrimati Gayatri Devi and Shrimati Scindia are not political prisoners. They were arrested for something quite different. In fact, the case against Shrimati Gayatri Devi would have been brought, but there is often a delay in such matters and she was arrested because of information that she might leave the country. I know how strongly Parliament feels when some-

thing like this happens and we would be blamed for not preventing it.

Hon'ble Member, Shri Patel spoke of fair elections. I do not want to go into details. Some of our Members have pointed to what has happened in the Gujarat elections. I shall only mention two cases. One is about the Government official who had put 24 papers in the ballot box for the Janata Front. He admitted doing so when he was caught red-handed and actually had other such marked papers in his hand ready to be put into the ballot box, I believe he is now behind bars. Similarly there was the news which nobody has contradicted that some thousands of Harijans were not allowed to vote. They were surrounded by workers of a particular group. This happened in the recent elections. But before that, after the Assembly election, I think I have referred earlier to this, a colony of Christians was razed to the ground because on being questioned by some students as to for whom they had voted, they replied 'Congress'. Their houses were burnt to the ground. I do not know whether the Government has come to their help now. But for quite some time the Government had not done so. Now, does Shri Patel consider it democratic or constitutional to dissolve a duly elected Assembly by public violence, by Street agitations or a threat to fast unto death? We gave into Morarji only to save his life, knowing that it was a wrong thing to do. Not a wrong thing to save his life, but wrong to dissolve the Assembly because of such pressure and threat. Maniben was perfectly right when she quoted what I had stated about MISA. I did say so, but I would submit that the circumstances which developed later were exceptional and extraordinary. And, when something entirely extraordinary and exceptional takes place, you have to have exceptional measures to deal with it. Who is the best doctor? Is it a panel of doctors, a hotchpotch of people

with different views on treatment? One doctor may make a wrong diagnosis, but having a number of doctors, perhaps with different viewpoints—one Ayurvedic, one Unani, one Allopathic, one Homoeopathic, one expert in Tibetan medicine or some other science—are they capable of giving better treatment to the country? Because, this is what it was—a group of heterogeneous elements in which the Jan Sangh was dominating and calling the tune. I don't think that what we have heard in their speeches, what we have witnessed of their actions, can be the right path for this country to retain either its unity to give fairplay to its minorities or to bring about the sort of equality which is absolutely essential not only from the human point of view, but from the point of view of the country's future strength and effectiveness in dealing with problems, pressures, threats and dangers.

Shri Tridib Chaudhuri is a senior and respected member of this House, but I think he would have been more convincing when he spoke against democracy and people taking advantage of certain situations had he raised his voice all these years, when so much hatred and falsehood were being spread. A virulent campaign was mounted with tremendous pressure. What shouting there was! Again and again we are asked, what could a few people of the opposition do when Congress has a massive majority? But they had made it difficult for any member on this side to function, to reply even in a soft voice. Later, I must admit our members also took to shouting and it was not possible for me to stop them. Their standard reply was: when the opposition cannot be controlled, how can you tell only us to be quiet? I had no answer to that. So, this pressure was mounting. As I pointed out the other day, it takes a long time to construct, whether it is a building, whether it is a dam or a project, it takes a long time, it takes a great deal of money and re-

sources and involves many people. But to destroy, what is needed? One person can throw a bomb. One person can set fire. So, this argument about relative members is irrelevant and un-convincing. All over the world, where the forces of reaction have been able to establish themselves, they have not been in the majority. It is a few who have been able, through noise, and support from outside, by creating a particular atmosphere to suppress the voice of the people. They have been able through rumour-mongering and whisper campaigns to create an atmosphere where the ordinary person is thoroughly confused and does not know what is happening. While he attempts to sort out his thoughts and to find the truth of the situation those other take advantage and establish themselves. This has happened time and again in different countries and different parts of the world. Did Shri Tridib Chaudhuri pause to wonder whether there was any truth in the wild allegations which were being bandied about and hurled across at us day in, day out?

I see in front of me the hon. member, Shri Viswanathan. A short while before I came into the House I heard that after his speech in the House yesterday, some members of a political party—perhaps you can guess which one it is; assaulted him in the lobby. (Interruptions). I am not yielding.

(Interruptions)

SHRI SEZHIYAN (Kumbakonam): I appeal to the Speaker please constitute a committee. If anything has been done by my Party members, I am ready to face whatever consequences you suggest. (Interruptions).

SHRIMATI INDIRA GANDHI: I am not entering into any argument. (Interruptions).

SHRI SEZHIYAN: My Party can never indulge in such things. (Inter-

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ruptions). We have been accused of CIA agents. (Interruptions).

SHRI G. VISWANATHAN (Wandiwash): This House was a witness, when I was speaking I was not only prevented from speaking but they had also used abusive language in Tamil which I did not bring to Chair's notice. Again, they threatened me inside the House. In the Lobby also, they tried to assault me. (Interruptions).

SHRIMATI INDIRA GANDHI: I said: I was told, I was not a witness to the incident and, therefore, I do not wish to argue about it. The word used was 'assaulted'. (Interruptions). Any Member who wishes to do so, can go to the hon. Speaker and speak to him later on. Threats are given quite publicly. Cuttings of what is said and written against many people including myself have been sent to me from Tamil Nadu. I am used to this and we have not complained. But when the falsehoods and threats created an atmosphere which finally led to murder most foul, even then most of the Opposition were content merely to say that this should not have been done. They did nothing to change the atmosphere of hatred which always breeds violence.

SHRI DASARATHA DEB (Tripura East): What has the Congress Party done in Tripura. They have put the Opposition Members inside the jail. Please tell me. (Interruptions).

SHRIMATI INDIRA GANDHI: We are now talking what is happening in this Parliament.

Shri Indrajit Gupta commented that there was no point in speaking if it would not be fully reported. I do not know whether the speech has been fully reported or not because I do not read these things in the news-

papers. In Parliament do we speak for the benefit of hon'ble Members or do we speak for the public outside?

SHRI INDRAJIT GUPTA: Ali pore): Both. We are sent here by the people. (Interruptions).

SHRIMATI INDIRA GANDHI: It is an odd way of looking at it. We speak here to put our point of view before Parliament.

Points were also made about monopolists and monopoly. It is true that we are thinking of changes in the industrial licensing policy, some have been made and these are precisely in order to encourage small and medium entrepreneurs and to prevent a few people from taking advantage even of the controls for their own businesses. Some controls are necessary. We do not think that everybody should be left free to do exactly as he likes in industry, in grabbing economic power. But we must guard against controls becoming self-defeating. Controls in themselves are not synonymous with socialism. We should not confuse the means for the ends. If we find that a particular policy is not yielding the results that we had hoped from it, we must modify it. And when hon. Members opposite spoke about our association with the monopolists I wondered if they considered the Jan Sangh and the Swatantra Party more radical just as China and Chile today are considered more democratic by some?

Then comes the question of bonus. This is a controversial question. It is true, that workers in India may not get the sort of wages that are paid in other countries. But I do not know whether the wages of all industrial workers here are very much lower than in every country in the world. When a concern is losing how can it possible get on its feet, if it is forced to pay a particular amount in bonus? My attention was drawn to this aspect the week after our decision on the

5 per cent bonus. I happened to go to one of our big public sector undertakings, where I met a delegation from one of the socialist countries; and the first thing they told me that they were astonished at this decision of ours. They could not see how we could hope to build up our industry, how we could put our public sector on a sound basis, if we continued with this policy. It is not only a question of industry. It is also a question of the workers themselves. An increase in payment leads to greater inflation and an increase in the prices of other goods. They are not merely industrial workers; they are also a part of this country; they have to meet the needs of their families—then that increase in bonus does not help them at all. That is why we took the decision. I was a party to the earlier decision. I am not blaming anybody. If I find any decision is wrong, then it is our duty—even if we displease people—to set that wrong right. But we sincerely hope that as our industrial base strengthens and as our economy is on a sounder basis, it will be possible for us to do more for our workers.

Similarly, I share the concern of all hon. Members of both sides of the House at the lay-offs and the retrenchment and so on which have been taking place. The Minister, my colleague, yesterday announced that a legislation would be brought soon. I am told that the apex body which was set up, has been able to solve some questions. (Interruptions).

SHRI S. M. BANERJEE (Kanpur): The employers do not care for the apex body. They care two hoots for the recommendations of the apex body.

SHRI BHOGENDRA JHA (Jainagar): Emergency has not helped. Not a single employer has been arrested under MISA or the DIR.

SHRIMATI INDIRA GANDHI: Then we must look at it again and see that the employers are not helped in this manner and that the workers do not suffer. There are no two opinions in this matter.

I should like to take this opportunity of expressing my congratulations to industrial workers. They have shown great discipline and enthusiasm. The figures show improved working in almost all sectors of industry. Recently when I was in Visakhapatnam I found that quantum of work done by the dock workers in the last few months had increased considerably. So, I would like to express my gratitude to them, and also to the armed forces which have shown courage and determination in war and disciplined work in peace. They are to be congratulated on their steadfastness.

Much has been said about the press. I do not want to dilate on that matter. I have spoken on many occasions. I am not against the press, Indian or foreign. What I am against is falsehood and hypocrisy. What has been the record of some newspapers? If I can take the House back, long years ago when I was a girl, it was more important for a pressman to secure a scoop and to get it printed in his paper than to save the life of the Lindbergh baby. We find this attitude increasing not only with regard to Indian affairs, but affairs anywhere, that more and more people want to go for something that is sensational, something that will hit the headlines, rather than constructive, solid work. It does not perhaps matter in an advanced and affluent society, but it does matter in a country which is trying to build itself up in the face of tremendous odds and difficulties. It does matter if you are spreading what I was told by a British Lord who visited us, "alarm and despondency", against which there was a law in England during or immediately after the last World War. It is a serious

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matter for any country which confronted with special difficulties, as our country undoubtedly was. We all know the attitude taken by the foreign press towards events in India, towards drought, the refugee situation, the Bangla Desh war or any other internal or international problem.

Speaking of the emergency some hon'ble Member alleged that we have opened the flood-gates which could be used by despotic persons. Was it the same thing said about our atomic experiment? Does anybody seriously believe that those who do not believe in democracy, those who do believe in the use of atomic power for military purposes, were waiting for India or the Congress to do anything? Would they and have they not, in their countries, taken whatever steps they wanted to take regardless of foreign opinion? We have tried to take certain steps, which may not be ideal, in order to prevent something worse happening to the country, in order to prevent democracy being swept off entirely. Certain curbs have been put, nobody denies that. Nobody says that it is good to do so. At the same time, as many Members mentioned, there has to be a feeling of responsibility, some thought of duties along with rights. Unfortunately, we were going further and further away from such a concept, and this has to be reinstated.

The Foreign Minister spoke at length on the international situation. I need not go over the same ground. As our strength increases, there is an effort to decry India. This is no time for us to slacken our vigilance. We have believed and we do believe in co-existence. What does that mean? It means that we agree to get along with countries whose systems or methods we may not entirely approve of.

There are countries with whose policies we do not agree. But no country can be pushed off this world on to another planet. Unfortunately

there is a new theory (I am not quite sure how to pronounce it) the 'Triage Doctrine' which absolves affluent countries from the bother of helping very poor countries, which are to be left to fend for themselves. Where will they go? Can they be moved from their geographical position on earth? If poverty increases or disease spreads, can other countries be immune? These are far deeper questions. I am not going into them here.

I should like to emphasize our desire and genuine and persistent effort for friendship and cooperation with all countries, near and far. We may not always agree with America, but we know that it is a dynamic nation; it has attracted talent from all over the world including India; the people are dynamic and are constantly giving birth to new and stimulating ideas on education, the arts, science and technology. I should like to give them my congratulations on their bicentennial.

I forgot to mention one point. I think it was hon. Member Shri Manoharan, who referred to Hindi. This question has been debated here many times. I repeat my assurance that there is no desire or attempt to force Hindi on those who do not want it. But we do feel that it could be worth while for all Indians to have at least a working or an understanding knowledge of any one Indian language so that we do not have to converse with one another in English. You and I happen to speak English. Perhaps those on the other side have greater knowledge of it than we have. But, as a whole, those who know English are such a minute minority in the country that it cuts us off from the vast majority of our masses. Therefore, if all over India there is an understanding—it need not be a perfect understanding of Hindi—which does not obstruct the development of Bengali, Assamese, Tamil, Telugu or Kannada or any other Indian language, it should be welcomed. We are aware that none of these languages is a

dialect; they are all ancient languages with their own history and beautiful old literature. We are doing everything possible to encourage these and help them to grow. But no one language need impinge or tread on the toes of others and certainly we do not want Hindi to do so.

Sometimes a group of people are over enthusiastic on both sides. The Hindi enthusiast try to spread the use of Hindi and some hon. friends outside are over enthusiastic in decrying Hindi, saying that only their language should be encouraged.

Yesterday I replied to Shri Patel when he spoke about some draft of Constitutional changes being circulated. A number of people, known and unknown, legal luminaries as well as others, have sent me notes, suggestions, letters, telegrams, all kinds of things, and one or more of these may be in circulation, I do not know. No such document has been circulated by me or by the Government or Congress Party, so far as I know. But I have said that whatever suggestions come should be considered in depth. We do not believe in change for the sake of change. On the other hand if change is necessary, we should not hesitate to bring it about. But if there is a change, it should be in the direction of justice and fair play to those vast number who are being denied their due.

This change should not be for the sake of any party or personal power. We must be concerned with human life and welfare which are as important as human liberty.

Some hon'ble members have spoken about elections. Elections are certainly not being given up. But elections are not the be-all and the end-all of democracy, or of life. We do look beyond. The good of the country, its unity and capacity to defend itself against aggression or oppression, its ability to produce more and distribute production more fairly, all these are

aspects which cannot be neglected and we cannot allow a situation to develop where these aspects are jeopardised merely for the sake of an election or of proving to the world how democratic we are.

There was also mention of a round-table dialogue. I spoke of this yesterday. My attitude has never been one of rigidity. In one of the papers I saw a headline suggesting that "I rule out dialogue" I am not in the habit of categorically ruling out any proposition except when it concerns injustice or matters which go against the interest of our people or the strength of our country. On those matters I must say, I am and always will remain firm. But on questions of dialogue or talking with the Opposition my attitude has not been inflexible. On the contrary, I have always tried to find ways of conciliation. I am afraid, this effort of mine has led us into trouble. When we have gone out of our way to be tolerant and have made friendly gestures, the Opposition has taken it for a show of weakness and they have chosen that moment to threaten and exert greater pressure to exact some more concession out of us. Can you shake hands with one hand? It needs two hands. We have always shown our willingness. It is for the Opposition to give up the path of obstruction and violence and to create conditions for a dialogue.

What is the objection? For the poor people of the country, the goal is to have more; for our workers, it is to have better conditions; for our farmers, to have strength to face the vagaries of weather; for our city people, better amenities, better transport and so on. What of us who are supposed to represent all sections of the people? Can the end be any one or several of these things? Is our task not of a far greater magnitude, of vaster proportions? I spoke earlier of duties. This is the time when we must consider what are our duties and obligations, not only to Parliament but to the country as a whole. Is it not our duty to see that

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peaceful conditions exist? While it is the duty of the Government and the ruling party to allow freedom of expression and association and to allow the legitimate functioning of the Opposition, it is equally the duty of the Opposition to allow the legitimate functioning of the Government. But this functioning of the Government and of some Assemblies was being hampered long before these Ordinances came into force. Along with rights we have to think equally about our obligations, our responsibilities and our duties.

Democracy cannot be one-sided. It can work only if all sections subscribe to its conditions and are willing to curb their liberty to the extent that it does not tread on the liberty of others. Only then can democracy survive and function. It is our responsibility to restore hope and confidence. This is what we have tried to do and this is what I meant, when I earlier spoke about the spread of alarm and despondency. I was concerned at the danger to the country and not at threats to a Party or one or more individuals. There was a deliberate effort to spread despair amongst the people, to spread a feeling of hopelessness by proclaiming that nothing has been done, nothing is being done and nothing can be done. This affected our young people, our farmers and others. Therefore, each group thought that it should try to get what it could for itself. If you believe that the country has no future, how can you work for a future? You will then say 'let us grab what we can while we may'. It is only when we have hope and confidence for a bright future that we can say 'let me sacrifice now because the future is on the horizon'.

13.00 hrs.

Bharat Mata is bent by the heavy burdens of colonialism, of imperialism of feudalism. She is suffering visibly not only from the ills of poverty, de-

privation and disease but also from mental complexes and attitudes bred by superstition and out-dated habits, by chauvinistic thinking, by narrowness—of religion, caste, creed, language or province—by customs which weigh heavily on the poor. It is our duty today to enable Bharat Mata to become young again, to hold herself erect and her head high—and in this, we would certainly like the help and cooperation of all those Members of the Opposition who believe in the tasks we have set ourselves and who feel that a new way of cooperation can be found.

Sir, I commend this motion to the House.

MR. SPEAKER: The 117 amendments which have been moved to the motion are now before the House. Should I put them all together to the vote of the House?

SHRI P. G. MAVALANKAR (Ahmedabad): I would like my amendments to be put separately.

SHRI RAMAVATAR SHASTRI (Patna): I would also like my amendments to be put separately.

SHRI BHOGENDRA JHA: My amendments may also be put separately.

MR. SPEAKER: I shall now put Amendments 7, 8 and 9 moved by Shri Bhogendra Jha to the vote of the House.

Amendments Nos. 7 to 9 were put and negatived.

MR. SPEAKER: I shall now put Amendments 16, 17, 19, 24 and 81 moved by Shri Ramavtar Shastri to the vote of the House.

Amendments Nos. 16, 17, 19, 24 and 81 were put and negatived.

MR. SPEAKER: I now put Amendment No. 68, moved by Shri P. G.

157 Motion of Thanks PAUSA 19, 1897 (SAKA) Motion of Thanks
on President's Address on President's Address

Mavalankar, to the vote of the House.

The question is:

"That at the end of the motion, the following be added, namely:—

'but regret that there is no mention in the Address about the daily and increasing mutilation of the several political and democratic rights guaranteed to all citizens by our Constitution.'" (68).

Let the Lobby be cleared.

The Lok Sabha divided.

AYES

Division No. 2]

[13.00 hrs.

Bade, Shri R. V.

Berwa, Shri Onkar Lal

Bhattacharyya, Shri Dinen

Bhattacharyya, Shri Jagadish

Bhattacharyya, Shri S. P.

Chaudhuri, Shri Tridib

Deo, Shri P. K.

Dhandapani, Shri C. T.

Durairasu, Shri A.

Dutta, Shri Biren

Gowder, Shri J. Matha

Haldar, Shri Madhuryya

Horo, Shri N. E.

Joarder, Shri Dinesh

Kiruttinan, Shri Tha

Krishnan, Shri M. K.

Lakshmanan, Shri T. S.

Lakshmikanthamma, Shrimati T.

Mayavan, Shri V.

Mehta, Shri P. M.

Mukherjee, Shri Samar

Mukherjee, Shri Saroj

Parmar, Shri Bhaljibhat

*Wrongly noted for Ayes.

Patel, Shri Nanubhai N.

Reddy, Shri B. N.

Roy, Dr. Saradish

Saha, Shri Ajit Kumar

Saminathan, Shri P. A.

Sequeira, Shri Erasmo de

Sezhiyan, Shri Era

Shastri, Shri Shiv Kumar

Singh, Shri D. N.

Sinha, Shri C. M.

Sinha, Shri Satyendra Narayan

Ulaganambi, Shri R. P.

Yadav, Shri G. P.

*Yadav, Shri R. P.

Yadav, Shri Shiv Shanker Prasad

NOES

Achal Singh, Shri

Aga, Shri Syed Ahmed

Agrawal, Shri Shrikrishna

Ahirwar, Shri Nathu Ram

Alagesan, Shri O. V.

Ambesh, Shri

Appalanaidu, Shri

Arvind Netam, Shri

Awdhesh Chandra Singh, Shri

Azad, Shri Bhagwat Jha

Aziz Imam, Shri

Babunath Singh, Shri

Bajpai, Shri Vidya Dhar

Balakrishniah, Shri T.

Banamali Babu, Shri

Banerjee, Shrimati Mukul

Barua, Shri Bedabrata

Bhagat, Shri H. K. L.

Bhattacharyya, Shri Chapalendu

Bheeshmadev, Shri M.

158:

Bist, Shri Narendra Singh	Gangadeb, Shri P.
Brij Raj Singh-Kotah, Shri	Gautam, Shri C. D.
Chakleshwar Singh, Shri	Gavit, Shri T. H.
Chandra Gowda, Shri D. B.	George, Shri A. C.
Chandrakar, Shri Chandulal	Ghosh, Shri P. K.
Chandrika Prasad, Shri	Gill, Shri Mohinder Singh
Chaudhari, Shri Amarsinh	Giri, Shri V. Shanker
Chaudhary, Shri Nitiraj Singh	Godara, Shri Mani Ram
Chavan, Shri Yeshwantrao	Gogoi, Shri Tarun
Chellachami, Shri A. M.	Gohain, Shri C. C.
Chhotey Lal, Shri	Gokhale, Shri H. R.
Chhuttan Lal, Shri	Gomango, Shri Giridhar
Chikkalingaiah, Shri K.	Goswami, Shri Dinesh Chandra
Choudhury, Shri Moinul Haque	Gotkhande, Shri Annasaheb
Daga, Shri M. C.	Gowda, Shri Pampan
Dalbir Singh, Shri	Hansda, Shri Subodh
Dalip Singh, Shri	Hari Kishore Singh, Shri
Darbara Singh, Shri	Hari Singh, Shri
Das, Shri Anadi Charan	Jadeja, Shri D. P.
Das, Shri Dharnidhar	Jha, Shri Chiranjib
Dasappa, Shri Tulsidas	Jitendra Prasad, Shri
Daschowdhury, Shri B. K.	Joshi, Shrimati Subhadra
Deo, Shri S. N. Singh	Kadannappalli, Shri Ramachandran
Desai, Shri D. D.	Kader, Shri S. A.
Dhamankar, Shri	Kailas, Dr.
Dhillon, Dr. G. S.	Kakoti, Shri Robin
Dhusia, Shri Anant Prasad	Kale, Shri
Dinesh Singh, Shri	Kamble, Shri T. D.
Dixit, Shri G. C.	Kapur, Shri Sat Pal
Dumada, Shri L. K.	Karan Singh, Dr.
Dwivedi, Shri Nageshwar	Kaul, Shrimati Sheila
Engti, Shri Biren	Khadilkar, Shri R. K.
Gaekwad, Shri Fatesinghrao	Kisku, Shri A. K.
Gandhi, Shrimati Indira	Kotoki, Shri Liladhar
Ganesh, Shri K. R.	Krishnappa, Shri M. V

Kureel, Shri, B. N.	Pandey, Shri Sudhakar
Kushok Bakula, Shri	Pandey, Shri Tarkeshwar
Lakkappa, Shri K.	Pandit, Shri S. T.
Lambodar Balyar, Shri	Pant, Shri K. C.
Mahajan, Shri Vikram	Paokai Haokip, Shri
Mahajan, Shri Y. S.	Parashar, Prof. Narain Chand
Maharaj Singh, Shri	Parthasarathy, Shri P.
Mahishi, Dr. Sarojini	Paswan, Shri Ram Bhagat
Majhi, Shri Kumar	*Patel, Shri H. M.
Malaviya, Shri K. D.	Patel, Shri Prabhudas
Malhotra, Shri Inder J.	Patil, Shri Anantrao
Mallanna, Shri K.	Patil, Shri C. A.
Mallikarjun, Shri	Patil, Shri S. B.
Mandal, Shri Jagdish Narain	Patnaik, Shri Banamali
Manhar, Shri Bhagatram	Patnaik Shri J. B.
Maurya, Shri B. P.	Peje, Shri S. L.
Melkote, Dr. G. S.	Prabodh Chandra, Shri
Mirdha, Shri Nathu Ram	Qureshi, Shri Mohd. Shafi
Mishra, Shri Bibhuti	Raghu Ramaiah, Shri K.
Mishra, Shri G. S.	Rai, Shri S. K.
Mishra, Shri Jagannath	Rai Shrimati Sahodrabai
Modi, Shri Shrikishan	Raj Bahadur, Shri
Mohan Swarup, Shri	Rajdeo Singh, Shri
*Mehanty, Shri Surendra	Raju, Shri P. V. G.
Mohsin, Shri F. H.	Ram Dayal, Shri
Murmu, Shri Yogesh Chandra	Ram Sewak, Ch.
Nahata, Shri Amrit	Ram Singh Bhai, Shri
Nanda, Shri G. L.	Ram Surat Prasad, Shri
Negi, Shri Pratap Singh	Ramshekhar Prasad Singh, Shri
Oraon, Shri Tuna	Ranabahadur Singh, Shri
Pahadia, Shri Jagannath	Rao, Shri Jagannath
Painuli, Shri Paripoornanand	Rao, Dr. K. L.
Pandey, Shri Krishna Chandra	Rao, Shri M. S. Sanjeevi
Pandey, Shri Narsingh Narain	Rao, Shri Nageswara
Pandey, Shri R. S.	Rao, Shri P. Ankineedu Prasada

Wrongly noted in Nos.

Rao, Shri Pattabhi Rama	Sharma, Shri Madhoram
Rao, Dr. V. K. R. Varadaraja	Sharma, Shri Nawal Kishore
Rathia, Shri Umed Singh	Sharma, Dr. Shanker Dayal
Raut, Shri Bhola	Shastri, Shri Raja Ram
Ravi, Shri Vayalar	Shastri, Shri Sheopujan
Ray, Shrimati Maya	Shenoy, Shri P. R.
Reddi, Shri P. Antony	Shetty, Shri K. K.
Reddy, Shri K. Kodanda Rama	Shinde, Shri Annasaheb P.
Reddy, Shri K. Ramakrishna	Shivnath Singh, Shri
Reddy, Shri M. Ram Gopal	Shukla, Shri B. R.
Reddy, Shri P. Narasimha	Shukla, Shri Vidya Charan
Reddy, Shri P. V.	Siddheshwar Prasad, Prof.
Reddy, Shri Sidram	Singh, Shri Vishwanath Pratap
Richariya, Dr. Govind Das	Sinha, Shri Dharam Bir
Robatgi, Shrimati Sushila	Sinha, Shri Nawal Kishore
Roy, Shri Bishwanath	Sohan Lal, Shri T.
Saini, Shri Mulki Raj	Sokhi, Sardar Swaran Singh
Salve, Shri N. K. P.	Stephen, Shri C. M.
Samanta, Shri S. C.	Sunder Lal, Shri
Sangliana, Shri	Surendra Pal Singh, Shri
Sant Bux Singh, Shri	Swaran Singh, Shri
Sarkar, Shri Sakti Kumar	Tayyab Hussain, Shri
Sathe, Shri Vasant	Tombi Singh, Shri N.
Satish Chandra, Shri	Tula Ram, Shri
Satpathy, Shri Devendra	Unnikrishnan, Shri K. P.
Savant, Shri Shankerrao	Venkatswamy, Shri G.
Savitri Shyam, Shrimati	Verma, Shri Sukhdeo Prasad
Sayeed, Shri P. M.	Virbhadra Singh, Shri
Shafquat Jung, Shri	Yadav, Shri Chandrajit
Shahnawaz Khan, Shri	Yadav, Shri D. P.
Shaillani, Shri Chandra	Yadav, Shri Karan Singh
Shankaranand, Shri B.	MR. SPEAKER: The results* of the
Sharma, Shri A. P.	division is:
Sharma, Dr. H. P.	Ayes-38; Noes-225.

The motion was negatived.
MR. SPEAKER: I put amendment No. 77 moved by Shri Sezhiyan. The question is:

*The following Members also recorded their votes:
AYES: Shri Murasoli Maran, Shri H.M. Patel and Shri Surendra Mohanty;
Noes: Shrimati Premalabai Chavan and Shri R.P. Yadav.

'That at the end of the motion, the following be added, namely:—

"but regret that in the Address no mention has been made for immediate withdrawal of the Emergency, for release of the leaders and for restoration of the rightful freedom of the Press." (77).

The Lok Sabha divided.

[13.12 hrs.

AYES

Division No. 3]

Bade, Shri R. V.

Berwa, Shri Onkar Lal

Bhattacharyya, Shri Dinen

Bhattacharyya, Shri Jagadish

Bhattacharya, Shri S. P.

Chaudhuri, Shri Tridib

Dhandapani, Shri C. T.

Dutta, Shri Biren

Gowder, Shri J. Matha

Horo, Shri N. E.

Joarder, Shri Dinesh

Kiruttinan, Shri Tha

Krishnan, Shri M. K.

Lakshmanan, Shri T. S.

Lakshmikanthamma, Shrimati T.

Maran, Shri Murasoli

Mayavan, Shri V.

Mehta, Shri P. M.

Mukherjee, Shri Samar

Mukherjee, Shri Saroj

Parmar, Shri Bhaljibhai

Patel, Shri H. M.

Patel, Shri Nanubhai N.

Reddy, Shri B. N.

Roy, Dr. Saradish

Saha, Shri Ajit Kumar

Saminathan, Shri P. A.

Sequeira, Shri Erasmo de

Sezhiyan, Shri Era

Shastri, Shri Shiv Kumar

Singh, Shri D. N.

Sinha, Shri C. M.

Sinha, Shri Satyendra Narayan

Ulaganambi, Shri R. P.

Yadav, Shri G. P.

NOES

Achal Singh, Shri

Aga, Shri Syed Ahmed

Agrawal, Shri Shrikrishna

Ahirwar, Shri Nathu Ram

Alagesan, Shri O. V.

Ambesh, Shri

Appalanaidu, Shri

Arvind Netam, Shri

Awdhesh Chandra Singh, Shri

Azad, Shri Bhagwat Jha

Aziz Imam, Shri

Babunath Singh, Shri

Bajpai, Shri Vidya Dhar

Balakrishniah, Shri T.

Banamali Babu, Shri

Banerjee, Shrimati Mukul

Barua, Shri Bedabrata

Bhagat, Shri H. K. L.

Bheeshmadev, Shri M.

Bist, Shri Narendra Singh

Brij Raj Singh-Kotah, Shri

Chakleshwar Singh, Shri

Chandra Gowda, Shri D. B.

Chandrakar, Shri Chandulal

Chandrika Prasad, Shri
Chaudhari, Shri Amarsinh
Chaudhary, Shri Nitiraj Singh
Chavhan, Shrimati Premalabai
Chavhan, Shri Yeshwantrao
Chellachami, Shri A. M.
Chhotey Lal, Shri
Chhutten Lal, Shri
Chikkalingaiah, Shri K.
Choudhury, Shri Moinul Haque
Daga, Shri M. C.
Dalbir Singh, Shri
Dalip Singh, Shri
Darbara Singh, Shri
Das, Shri Anadi Charan
Das, Shri Dharnidhar
Dasappa, Shri Tulsidas
Daschowdhury, Shri B. K.
Deo, Shri S. N. Singh
Desai, Shri D. D.
Dhamankar, Shri
Dhillon, Dr. G. S.
Dhusia, Shri Anant Prasad
Dinesh Singh, Shri
Dube, Shri J. P.
Dumada, Shri L. K.
Dwivedi, Shri Nageshwar
Engti, Shri Biren
Gaekwar, Shri Fatesinghrao
Gandhi, Shrimati Indira
Ganesh, Shri K. R.
Gangadeb, Shri P.
Gautam, Shri C. D.
Gavit, Shri T. H.
George, Shri A. C.

Ghosh, Shri P. K.
Gill, Shri Mohinder Singh
Giri Shri V. Shanker
Godara, Shri Mani Ram
Gogoi, Shri Tarun
Gohain, Shri C. C.
Gokhale, Shri H. R.
Gomango, Shri Giridhar
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Gowda, Shri Pampan
Gupta, Shri Indrajit
Hansda, Shri Subodh
Hari Kishore Singh, Shri
Hari Singh, Shri
Jadeja, Shri D. P.
Jha, Shri Chiranjib
Jitendra Prasad, Shri
Joshi, Shrimati Subhadra
Kadannappalli, Shri Ramachandran
Kader, Shri S. A.
Kailas, Dr.
Kakoti, Shri Robin
Kale, Shri
Kamble, Shri T. D.
Kapur, Shri Sat Pal
Karan Singh, Dr.
Kaul, Shrimati Sheila
Khadilkar, Shri R. K.
Kisku, Shri A. K.
Kotoki, Shri Liladhar
Krishnappa, Shri M. V.
Kureel, Shri B. N.
Kushok Bakula, Shri
Lakkappa, Shri K.

Lambodar Balyar, Shri
Mahajan, Shri Vikram
Mahajan, Shri Y. S.
Maharaj Singh, Shri
Mahishi, Dr. Sarojini
Majhi, Shri Kumar
Malaviya, Shri K. D.
Malhotra, Shri Inder J.
Mallanna, Shri K.
Mallikarjun, Shri
Mandal, Shri Jagdish Narain
Manhar, Shri Bhagatram
Maurya, Shri B. P.
Melkote, Dr. G. S.
Mirdha, Shri Nathu Ram
Mishra, Shri Bibhuti
Mishra, Shri G. S.
Mishra, Shri Jagannath
Modi, Shri Shrikishan
Mohan Swarup, Shri
Mohsin, Shri F. H.
Murmu, Shri Yogesh Chandra
Murthy, Shri B. S.
Nahata, Shri Amrit
Nanda, Shri G. L.
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Painuli, Shri Paripoornanand
Pandey, Shri Krishna Chandra
Pandey, Shri Narsingh Narain
Pandey, Shri R. S.
Pandey, Shri Sudhakar
Pandey, Shri Tarkeshwar
Pandit, Shri S. T.
Pant, Shri K. C.
Paokai Haokip, Shri
Parashar, Prof. Narain Chand
Parthasarathy, Shri P.
Paswan, Shri Ram Bhagat
Patel, Shri Prabhudas
Patil, Shri Anantrao
Patil, Shri C. A.
Patil, Shri S. B.
Patnaik, Shri Banamali²
Patnaik, Shri J. B.
Peje, Shri S. L.
Pradhan, Shri Dhan Shah
Qureshi, Shri Mohd. Shafi
Raghu Ramaiah, Shri K.
Rai, Shri S. K.
Rai Shrimati Sahodrabai
Raj Bahadur, Shri
Rajdeo Singh, Shri
Raju, Shri P. V. G.
Ram Dayal, Shri
Ram Sewak, Ch.
Ram Singh Bhai, Shri
Ram Surat Prasad, Shri
Ramshekhar Prasad Singh, Shri
Ranabahadur Singh, Shri
Rao, Shri Jagannath
Rao, Dr. K. L.
Rao, Shri M. S. Sanjeevi
Rao, Shri Nageswara
Rao, Shri P. Ankineedu Prasada
Rao, Shri Pattabhi Rama
Rao, Dr. V. K. R. Varadaraja
Rathia, Shri Umed Singh
Raut, Shri Bhola
Ravi, Shri Vayalar
Ray, Shrimati Maya
Reddi, Shri P. Antony
Reddy, Shri K. Kodanda Rama
Reddy, Shri K. Ramakrishna
Reddy, Shri M. Ram Gopal
Reddy, Shri P. Narasimha
Reddy, Shri P. V.
Reddy, Shri Sidram
Richhariya, Dr Govind Das
Rohatgi, Shrimati Sushila
Roy, Shri Bishwanath
Saini, Shri Mulki Raj
Salve, Shri N. K. P.
Semanta, Shri S. C.

Sangliana, Shri
 Sant Bux Singh, Shri
 Sarkar, Shri Sakti Kumar
 Sathe, Shri Vasant
 Satish Chandra, Shri
 Satpathy, Shri Devendra
 Savant, Shri Shankerrao
 Savitri Shyam, Shrimati
 Sayeed, Shri P. M.
 Shafquat Jung, Shri
 Shahnawaz Khan, Shri
 Shailani, Shri Chandra
 Shankaranand, Shri B.
 Sharma, Shri A. P.
 Sharma, Dr. H. P.
 Sharma, Shri Madhoram
 Sharma, Shri Nawal Kishore
 Sharma, Dr. Shanker Dayal
 Shastri, Shri Raja Ram
 Shastri, Shri Sheopujan
 Shenoy, Shri P. R.
 Shetty, Shri K. K.
 Shinde, Shri Annasaheb P.
 Shivnath Singh, Shri
 Shukla, Shri B. R.
 Shukla, Shri Vidya Charan
 Siddheshwar Prasad, Prof.
 Singh, Shri Vishwanath Pratap
 Sinha, Shri Dharam Bir
 Sohan Lal, Shri T.
 Sokhi, Sardar Swaran Singh
 Stephen, Shri C. M.
 Sunder Lal, Shri
 Surendra Pal Singh, Shri
 Swaran Singh, Shri
 Tayyab Hussain, Shri
 Tula Ram, Shri
 Unnikrishnan, Shri K. P.

Venkatswamy, Shri G.
 Verma, Shri Sukhdeo Prasad
 Virbhadra Singh, Shri
 Yadav, Shri Chandrajit
 Yadav, Shri D. P.
 Yadav, Shri Karan Singh
 Yadav, Shri R. P.

MR. SPEAKER: The result* of the division is: Ayes-35; Noes-224.

The motion was negatived.

MR. SPEAKER: Now I put all the other amendments to the vote of the House.

All the other amendments were put and negatived.

MR. SPEAKER: Now I put the main motion to the vote of the House.

The question is:

"That an Address be presented to the President in the following terms:—

"That the Members of Lok Sabha assembled in this Session are deeply grateful to the President for the Address which he has been pleased to deliver to both Houses of Parliament assembled together on the 5th January, 1976."

The motion was adopted.

MR. SPEAKER: The House stands adjourned for lunch to meet again at 14.15 hrs.

13.15 hrs.

The Lok Sabha adjourned for Lunch till fifteen minutes past Fourteen of the Clock.

*The following Members also recorded their votes:

AYES: Sarvashri Surendra Mohanty and Shri Shanker Prasad Yadav;

NOES: Sarvashri Jagdish Chandra Dixit and Genda Singh.

The Lok Sabha re-assembled after Lunch at Twenty Minutes past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

INCOME-TAX (AMENDMENT) BILL

THE MINISTER OF STATE IN-CHARGE OF DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKERJEE): I beg to move:

"That the Bill further to amend the Income-tax Act, 1961, be taken into consideration."

As the hon. members are aware the unprecedented floods in several parts of the country last year caused large scale destruction resulting in considerable hardship to the more vulnerable section of the population. Vigorous action at governmental level had to be supplemented by generous charitable funds and organisations in order to provide adequate relief to the flood victims. In view of the urgent need to attract large donations to the Prime Minister's National Relief Fund. The Income Tax (Amendment) Ordinance 1975 was promulgated by the President on the 9th September, 1975 for liberalising the tax concession in respect of donations to this fund. Under the Income Tax Act, an amount equal to 50 per cent of donations made to certain funds and charitable institutions was allowed to be deducted in computing the taxable income of the donor. The amount qualifying for this deduction is restricted in the generality of cases to 10 per cent of the gross total income of the donor or Rs. 2 lakhs whichever is less. Donations to the Prime Minister's Relief Fund were also subject to these ceiling limits. The Income-Tax (Amendment) Ordinance, 1975 amended the Income Tax Act with a view to removing the ceiling limits in respect of donations to the Prime Minister's National Relief Fund. The said fund has thus been placed on par with Prime Minister's Drought

Relief Fund, National Relief Fund and Jawaharlal Nehru Memorial Fund. The Bill before the House now seeks to replace the said Ordinance.

The object of this short and simple Bill is laudable and I am confident it will receive the unanimous support of the House.

I commend the Bill to the House.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill further to amend the Income-tax Act, 1961, be taken into consideration."

SHRI DINESH JOARDER (Malda): The hon. Minister has stated that it is a very short Bill and the purpose is also limited. I have no objection in having the Prime Minister's Relief Fund or in the collection of funds for this Relief Fund. Now the searches and seizures are going, on against the black marketeers, hoarders, and black money is being unearthed. Black-marketeers and hoarders have been playing underground a parallel economy. Many hon. members have said that with the un-earthing of a sum of Rs. 115 crores, only a fringe of the problem has been touched.

MR. DEPUTY-SPEAKER: What is the purpose of all this? The same subject figured during the Question Hour and the Minister made an observation on this. What relation has it got with this?

SHRI DINESH JOARDER: Evasion of income tax is also coming here.

MR. DEPUTY SPEAKER: I do not see any point in it.

SHRI DINESH JOARDER: Collections by way of donations for the Prime Minister's Relief Fund are being made. Many Chief Ministers are raising funds in different states and are presenting the same to the Prime Minister. This has now become a

[Shri Dinesh Joarder]

source of getting political favour and personal favour too.

We have seen in the papers that people in Bihar and other places are suffering due to floods, etc. They are seeking relief from other sources. A large amount of relief fund is being collected on behalf of the Government and also on behalf of the ruling party. The Chief Ministers are bringing crores of rupees and are contributing to the Prime Minister's Relief Fund. Where from these funds are coming? Wherefrom this money is being collected? We are very much apprehensive about it. In the name of collecting this fund, they do it for getting political benefits, to promote the benefits of the favour-seekers of the ruling party. They have taken all these initiatives and they are collecting this fund. We have seen previously, I think, this was about 10 or 15 years back, there was a specific code of rules.

MR. DEPUTY-SPEAKER: Order please. What do you want to say by all this,—therefore the Bill should not be adopted or what? What is it that you want to say?

SHRI DINESH JOARDER: I want to raise certain points.

MR. DEPUTY-SPEAKER: It has got to have some relevance. You cannot convert it into a big subject, abuses, the way collection is done, what sources, etc. This Bill is very limited that certain exemptions are to be given for certain purposes. On the other hand you have started discussing the various abuses, the sources from which they come and all that. This becomes a subject by itself then. If you go on like this, then, everything else is relevant, you can talk about all the economic ills of the country and abuses and everything is relevant!

SHRI DINESH JOARDER: This is in connection with the measure before us.

MR. DEPUTY-SPEAKER: Please be brief.

SHRI DINESH JOARDER: I just wish to bring it to the notice of the hon. Members as well as the Minister that this practice should not be encouraged, this practice should be stopped. Now-a-days we find that even the magistrates, SPs, SDOs and others are collecting funds which were prohibited some 10 or 15 years back. This is done in the name of various relief funds. Certain people are obliged to district magistrates, SP and Police officers. Now, MISA is being utilised against them, if they do not do it. That is to say, this is being applied against them, if they do not oblige these district officers, the leader of the ruling party and also the Minister. So, Sir, this Fund is being collected in this way. I simply want to say this which I have already stated, that I have no objection to the bringing of this Bill, but, Sir, the way this fund is being collected has created apprehension in our minds. The way and in what manner it will be distributed to the people concerned has also not been very clear to us. I do not know whether this House has come to know in what way this fund will be operated. What we have known is this. We have known that in Chasnala disaster, the Prime Minister has donated a sum of Rs. 5 lakhs. We are happy about it. But what about the other lakhs and crores of rupees which are being collected? And now everything is going in the hands of one individual, that is, Prime Minister,—all political power, all emergency power, all monetary power, everything is in one individual and this will lead to certain dictatorial affairs in the country. So, Sir, I want that this Fund should not be collected in this way and it should be properly used. Thank you.

ओ राष्ट्रवाहार शास्त्रो (पटना) : उपाध्यक्ष महोदय, जिस उद्देश्य से आयकर (संशोधन) विषयक इस सदन में पेश किया गया है मैं उस उद्देश्य का समर्थन करता हूँ। यह ठीक ही कहा गया है कि प्रधान मंत्री राष्ट्रीय सहायता कोष में जो राशि आएगी उस से सम्बन्धित राशि को आय कर से छूट दी जायेगी। जैसा कि पहले भी इस सदन में किया जा चुका है प्रधान मंत्री सूखा सहायता कोष के सिलसिले में, राष्ट्रीय सुरक्षा कोष के सिलसिले में और जवाहर लाल नेहरू स्मृति कोष के हिस्सिले में जो किया गया है ठीक इभी तरीके से प्रधान मंत्री राष्ट्रीय सहायता कोष के सिलसिले में भी यह बात कही जा रही है कि आयकर से छूट रहनी चाहिए। तो यह बात बिल्कुल सही है और मैं इस बात में भी सहमत हूँ कि देश के तमाम निवासियों को वह बड़े हों छोटे हों गरीब हों अमीर हो गर्भीय विपत्ति का मुकाबिला करने के लिए जिस कोष का निर्माण किया गया है उस में दान देना चाहिए। उस महायता कोष में लोग ज्यादा से ज्यादा दान दें, परस दें यह मेरी हार्दिक इच्छा है और तमाम देशवासी इस बात का समर्थन करेंगे क्योंकि इस कोष का इस्तेमाल मुख्यतया जहरतमंदों या पीड़ितों की मदद में किया जाता है।

लेकिन मैं एक बात की तरफ इशारा करना चाहता हूँ और सरकार का ध्यान उस और आकृष्टि करना चाहता हूँ। अभी मैं गौहटी गया था इस्टर्न रेलवे वर्कर्स पूनियन की एन्युअल कान्फरेंस के सिलसिले में, लगभग 100 प्रतिमिशि वहां आजूब थे। सब ने यही शिकायत की जो बोले उस समेलन में कि यह तो ऐच्छिक दान देने की बात है। जो चाहे प्रधान मंत्री कोष में दान दे जो नहीं चाहे वह दान नहीं भी दे सकता है। लेकिन रेलवे अधिकारी

जबदंस्ती मजदूरों को दबा रहे हैं। यह केवल एन एफ रेलवे की बात नहीं है, मैंने इस्टर्न रेलवे में भी यह बात देखी है। तो यह बात नहीं होनी चाहिए पहली बात तो मैं यह कहना चाहता हूँ कि यह ऐच्छिक कोष है, जो देना चाहे दे। लेकिन जबदंस्ती उन की तनखाह से फिलटर कर लिया जाय यह तो फैसला सरकार का नहीं है। जो देना चाहेंगे सरकार को लिख कर देंगे और उन की तनखाह से वह पैसा काट लेना चाहिए।

दूसरी बात जो और गंभीर है वह यह कि एक दिन की तनखाह देनी है तो इस में बड़े बड़े अफसरों की तनखाह एक दिन में पचास या सी हजार भी हैं भगव वे लोग दस हजार दे कर निकल जाते हैं और जब उन से कहा जाता है कि आप एक दिन की तनखाह दीजिए, देश में जो विपत्तिप्रस्त लोग हैं उन की मदद की जायेगी तो कहते हैं कि जाओ जाओ, सरकार की बात हम नहीं मानेंगे, क्या करोगे? तो मजदूरों को दबा कर आप ले लें और अफसर लोग छूट जायें, वे मनमानीं करें यह हो रहा है। मैं इसी की तरफ ध्यान दिलाना चाहता हूँ कि यह बात नहीं होनी चाहिए। अफसरों को भी कम से कम एक दिन की तनखाह जरूर देनी चाहिए, मजदूरों को भी देनी चाहिए, गरीबों को भी देनी चाहिए, अमीरों को भी देनी चाहिए, किसानों को भी देनी चाहिए। और जितनी हमारी 56 करोड़ जनता हिन्दुस्तान में है सब को देनी चाहिए। लेकिन यह ठीक है कि जोर जबदंस्ती नहीं किया जाना चाहिए। इन बातों की तरफ मैं आप के द्वारा मंत्री महोदय का ध्यान आकृष्टि करना चाहता हूँ और निवेदन करना चाहता हूँ कि इस में जो गड़बह हो रही है उस को बन्द करें। जो लोग छुटा छूटा चाहते हैं, भागना चाहते हैं उनको

[श्री रामावतर शास्त्रे]

पकड़िये ताकि इस कोष में ज्यादा से ज्यादा धन इकट्ठा हो जिससे विपत्ति के समय देशवासियों की सहायता हो सके। हम स्वयं जिस स्टेट से आते हैं वह विपत्तिग्रस्त है। पटना में बाढ़ आई, आप ने उस कोष में धन भेजा। इस तरह के मोके आगे भी आ सकते हैं जिस में इस का इस्तेमाल होना चाहिए। इन शब्दों के साथ मैं इसका ममर्यन करता हूँ।

SHRI ERASMO DE SQUEIRA (Marmagoa): Mr. Deputy-Speaker, Sir, like my colleagues from the Opposition who have spoken this morning, I have no quarrel with this Bill or the reason with which the same has been brought forward. It is a good thing that the Prime Minister's Relief Fund is being given the facility of qualifying for donations which themselves qualify for exemption under the Income-tax Act.

With your permission, Sir, I would like to read the cutting from the Tribune of Chandigarh dated, Patna, September 7. I quote:

"Bihar Government would be given at least Rs. 5 crores from the Prime Minister's Fund for relief and rehabilitation in the flood ravaged areas of Patna and other Parts of Bihar."

The next paragraph says:

"This was announced here to-day by the Congress President, Shri D. K. Borooh."

It is this that I wish to highlight that we should get the distinct feeling that a fund such as this which should remain above the realm of politics, which is meant for national calamities and which is given in the hands of a national leader, is used in a fashion when no accusation can be made from any segment of the House that it is being used to further, not just relief, but to relieve the Congress Party of the pre-

dicament that it finds itself in before the people for its complete non-performance in office. I am not asking for an assurance in this House that this will be done with reference to this Fund because we have received assurance after assurance, the one that is most relevant is the one we received about MISA not to be used against politician and what has happened to that assurance. We all know that over 20 Members of this House today arrested under MISA and, I realise, Sir, that right now when everybody pretends to hear nobody's ears are open to what is being said from this side of the House. If we continue to speak it is only because we realise that what we are saying has a long way to travel. And we feel that if we say it forcefully enough and often enough it might eventually penetrate.

THE MINISTER OF STATE IN-CHARGE OF DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): Mr. Deputy-Speaker, Sir, I am grateful to the Members who have spoken on this Bill. They have supported the Bill though they have tried to say something which is not strictly within the purview of this Bill.

Firstly, the Bill is very limited in the sense it just makes a small amendment in Section 80(g) of the Income Tax Act which enables the donor to contribute to Prime Minister's National Relief Fund above Rs. 2 lacs because as per the provision before the amendment by Ordinance if somebody wanted to contribute to Prime Minister's National Relief Fund the total amount of donation was limited either by 10 per cent of the gross income or by Rs. 2 lacs whichever was less. It was felt necessary—as has been very correctly pointed out by Shri Ramavtar Shastri and others—that whenever there had been national calamity assistance from Government through proper channels goes in due course but at the same time as a result of the operation of this Fund it becomes possible to rush the assistance quickly and if there be not sufficient funds it is not possible to meet the situation. As a result of that,

it is an enabling provision in the sense to make it possible on the part of donors to contribute more to the Prime Minister's National Relief Fund. Therefore, whatever has been said about how these funds are being operated whether this is being utilised to relieve the Congress party or whether somebody is being intimidated to contribute to this Fund becomes irrelevant in the context that we are not knowing how Prime Minister's relief fund is being operated. We are discussing small amendment in the Income Tax Act. In this connection I can assure the hon. Members that there is no question of putting any compulsion on any individual, be it railway employee or other employees, to contribute any particular quantum. Sir, when the call was there, many people responded to it voluntarily.

SHRI RAMAVATAR SHASTRI: Some people were forced to make contributions.

SHRI PRANAB KUMAR MUKHERJEE: I do not know if it is in the knowledge of the hon. Minister, it is no use making a blank charge. He should bring it specifically to the notice. Definitely, Government can take care of it. I would conclude by saying this in reply to the observations of the last speaker that relief to the Congress Party is not needed from the Prime Minister's National Relief Fund. What people think about this party has been very recently established and this has been mentioned on the floor of this House in some other context. I would not like to repeat it

But, I would like to submit, through you, to the House, Sir, 'Let this Bill be accepted' as this will help to swell the proceeds of the Prime Minister's National Relief Fund which will go to the relief of the needy in times of distress.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill further to amend the Income-Tax Act, 1961, be taken into consideration."

MR. DEPUTY-SPEAKER: Now we shall take up clause-by-clause consideration.

The question is:

"That Clauses 2 to 3 and 1, the Enacting Formula and the Long Title stand part of the Bill."

The motion was adopted.

Clauses 2 to 3 and 1, the Enacting Formula and the Long Title were added to the Bill.

SHRI PRANAB KUMAR MUKHERJEE: Sir, I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

14.43 hrs.

DELHI DEVELOPMENT (AMENDMENT) BILL

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI H. K. L. BHAGAT): Mr. Deputy-Speaker, Sir, I beg to move:

"That the Bill further to amend the Delhi Development Act, 1957, be taken into consideration."

Sir, as has been mentioned in the Statement of Objects and Reasons, this Bill seeks to give effect to the recommendations of the Committee on Sub-ordinate Legislation in regard to the Delhi Development (Grant of Allowances to Non-official members of the Advisory Council) Rules, 1959, in three respects, namely, by expressly empowering the Delhi Development Authority to make the rule, to provide for publication in the Official Gazette of the rule and to bring it in conformity with the revised formula regarding the laying of rules and regulations before both Houses of Parliament.

[Shri H. K. L. Bhagat]

Sir, this is a simple matter. I commend the Bill to the House.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill further to amend the Delhi Development Act, 1957, be taken into consideration."

SHRI DINESH JOARDER (Malda): Sir, we have no objection to this Bill. This Bill has been brought forward to give effect to the recommendations of the Committee on Subordinate Legislation, as has been mentioned by the Hon. Minister.

But, Sir, in this connection, I would like to point this out to this House as well as to the Minister. This also relates to the development of the Delhi metropolis and the adjacent areas. Now, out of the Fund, they are going to pay travelling and other allowances and also enlarge the scope of the administration. But, on the other side, what we are seeing is that, in the name of development of Delhi and beautification of Delhi, hundreds of houses and shops have been demolished. Even a big colony which was established about 20 years back—after partition, people came and built their houses and developed a colony—with the help of Government money and loans—ultimately, land was also given by the Government itself—the entire colony has been demolished in the name of development of Delhi, beautification of Delhi and removal of unauthorised structures. In Karol Bagh and other big places, shops and establishments have been mercilessly demolished without giving sufficient opportunity to the concerned people to remove their structures, without giving them alternative sites and without providing them with alternative means of livelihood. Their requirements were not taken into consideration by the Delhi Development Authority.

Now as regards travelling and other allowances for which this Bill has been brought forward, I do not know what are the rates allowed to the officers.

MR. DEPUTY-SPEAKER: That will be a matter for rules.

SHRI DINESH JOARDER: Since 25 or 26 years, certain rates were prevailing. Have those rates been amended? At what rate, these Advisory Council members will get these allowances is not very clearly mentioned in the Bill. As for the ex-officio members most of whom are officers of the establishment, they have their own rules for getting TA and DA.

MR. DEPUTY-SPEAKER: When the rules prescribing those rates are under discussion, that is the occasion to discuss the matter. This is only an enabling provision giving power to make rules.

SHRI DINESH JOARDER: I am bringing this to his notice. He may take note of this when framing the rules. There is a difference between the allowances to ex-officio members and to Advisory Council members. What should be the provision for the Advisory Council members? There should be a guideline in this Bill itself to this effect. Even then, I support the Bill.

SHRI C. K. CHANDRAPPAN (Tellecherry): This is a Bill based on the recommendations of the Committee on Subordinate Legislation. We have no objection to having it passed here. But I take this opportunity to bring to the notice of the hon. Minister—fortunately, he himself belongs to Delhi—a fact which was mentioned by my hon. friend, that is about the plight of the people who are dwellers in the slums of Delhi. I think this morning he received a deputation of people who are being evicted from the Mazdoor Basti in Delhi. I only take this opportunity to appeal to the Minister while supporting this Bill that the DDA should behave a little more mercifully to these affected people. Whatever considerations they have, they are now deciding to shift some tens of thousands of people from Mazdoor Basti and also various other places to far-away

places in Delhi. In this extreme winter, when there is no alternate arrangement provided—there is only a site offered, but no house—I am very sure that there will be thousands of deaths of children. I hope the Government will see to it that such a calamity does not take place.

MR. DEPUTY-SPEAKER: Shri Daga.

श्री मूल चन्द डागा (पाली) : सब से पहले तो मैं मंत्री जी को घन्यवाद दें कि 15 साल के बाद

SHRI DINESH JOARDER: At this rate, there will not be hon. members left or business left....

MR. DEPUTY-SPEAKER: I am strictly concerned with relevance in the disposal of business. Other factors are extraneous to me.

श्री मूल चन्द डागा : कमेटी आन सबोइनेट लेजिस्लेशन की रिपोर्ट 29 अप्रैल, 1960 की है :

"The Committee recommend that express provision authorising the rule-making authority to provide for regulation and payment of daily and mileage allowances to the non-official members of the Advisory Council by means of rules should be made in the Delhi Development Act, 1957, when the Act is amended next."

1960 में यह सिफारिश की गई। और आज 15 साल हो गये हैं।

MR. DEPUTY-SPEAKER: Recommendation for what?

SHRI M. C. DAGA: Recommendation of the Committee on Subordinate Legislation for framing this rule. It took them 15 years. I am reading from the Report.

MR. DEPUTY-SPEAKER: Better late than never. Anyway, you have drawn attention to the Report. Now we must thank them that they have responded to it.

SHRI M. C. DAGA: Again the Committee has invited the attention of the Ministry.

MR. DEPUTY-SPEAKER: I think we are fortunate that we have a new Minister who is so responsive.

श्री मूल चन्द डागा : फिर आप का ध्यान 1971 में दिलाया गया। इस का मतलब यह हुआ कि आप की जो एकजीक्यूटिव एजेन्सीज हैं, वे आप के राइट्स का एन्कोरेंट करती हैं। यह आप का कानून कैसे चलता है। मैं यह पूछता हूँ कि जब दिल्ली डेवलपमेंट बिल में डी० ए० प्रोर डी० ए० के लिए स्लस नहीं थे तो आफिससं को ये कैसे मिल गये। इतने समय के बाद यह आप इस को कर रहे हैं।

MR. DEPUTY-SPEAKER: All that is history; he has made that good.

SHRI M. C. DAGA: What has he done?

MR. DEPUTY-SPEAKER: He has come forward with the Bill.

SHRI M. C. DAGA: I have not been able to understand this. How were they getting TA, DA, etc.? You may want to go in a hurry.

MR. DEPUTY-SPEAKER: They were working under the impression that those rules could be framed. Some lacuna was discovered in the Act and now they are going to remove that lacuna. That is all. It is for us to decide whether we should allow them to do that or not. They have realised that there was a mistake and they have come forward with the Bill.

SHRI M. C. DAGA: There is not a single word of regret in the statement of objects and reasons. They are

[Shri M. C. Daga]

coming up with this Bill after fifteen years. The Chairman of the Subordinate Legislation Committee is here.

MR. DEPUTY-SPEAKER: Have you read the statement of objects and reasons? It is very clear if you read that. Do not find fault with that. Please say something on the Bill.

SHRI M. C. DAGA: I only wanted to draw attention to that.

SHRI ERASMO DE SEQUEIRA (Marmagao): The only reason I requested an opportunity to say something is because two speakers have previously referred to the kind of demolitions that were going on. I should like to share some facts which have come to my notice. In Patel Nagar I understand that the Corporation which had regularised the constructions that were there, gave electricity connections and water connections and was collecting taxes from them. After all that, they went and demolished 600 houses. Then there was the case of a freedom fighter again in Patel Nagar who was having his house demolished. He went to the court and got a stay order. That stay order was treated as a piece of toilet paper by the corporation. What has been done to the jhuggi and jhompri dwellers? From what I am told, a very large number of them were moved away from Delhi into the U.P. border in this bitter cold. I have heard very reliably that four or five old men who were moved to the Open field there had died due to exposure to cold.

MR. DEPUTY-SPEAKER: Other hon. Members had made that point and the hon. Minister will reply.

SHRI ERASMO DE SEQUEIRA: If that is the manner in which the Government plans to solve the problem of the down-trodden masses during the emergency, all I can say is that democracy should soon be restored.

THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUS-

ING (SHRI H. K. L. BHAGAT): I am grateful to the hon. Members for extending support to this Bill and I am grateful to you, Sir, for appreciating that this Bill had come, though rather late. I can frankly say that I am myself not happy about its being brought late. I should like to say this to my friends Joarder, Chandrappan and Sequeira; they give the impression that the Delhi Development Authority was doing something which was very cruel, that they were removing people mercilessly and were not giving them any alternative accommodation. I very much share the concern and anxiety which they have shown for the people of Delhi, I myself represent Delhi and I am very much conscious of my responsibility as a Member from Delhi and also as a Minister. But I would very respectfully and humbly put it to the hon. Members for consideration that it is not true that the people are not being given alternate accommodation. I would say that all the families who have been removed from jhuggi-jhompries have been provided with alternative accommodation and they are permanently settled in those places where facilities like water, electricity roads drains and other things exist. Sir, arrangements have also been made for admission of their children in schools. For ration shops, some arrangements for sale have also been made so that they are not put to any inconvenience, especially during winter. This is not an operation of demolition or uprooting of these tenements. In fact, this is their permanent settlement. They have been remaining on temporary sites with no security and no civic amenities. Now, they are permanently settled. Some of my friends earlier pointed out here in this House that these people are being removed to the borders and they are being removed to a distance of about 20 to 25 miles. I respectfully submit that it is not correct. If you see the topography of Delhi, you will find that the distance from one end to the other within Delhi territory, is about 20 miles. People who are living in South complex are being removed to the new complexes which have been located on that side.

Therefore, it is not correct to say that they have been removed to far off places where transport facilities are not available. I would submit that transport facilities are there and other facilities are available there. Wherever they are found inadequate, attempts are being made to provide adequate facilities. Therefore, DDA is actually engaged in this new and important task of resettling the people permanently and I think it is our duty to help settle the poor people instead of leaving them without adequate amenities for a long time. Now, that is what is being done.

Sir, I would respectfully submit that it is not correct to say that in some colonies houses have been demolished although the plans for the same were sanctioned and land allotted by Government. Of course, allegations made are rather allegations of a general nature and are generally not correct. Concrete steps have been taken in providing necessary facilities to people who were dislocated when it is necessary to widen the road, to keep certain places open for parks, schools and other things. But there also people have been provided with alternative residential accommodation in different localities. About 30,000 families have been permanently resettled. I know that people have been put to some inconvenience on account of this and I have every sympathy for them. It is somewhat natural and somewhat unavoidable in any dislocation. But I would say that best efforts have been made to minimise the inconvenience and I can assure my hon. friends if any precise case is brought to my notice. I will certainly look into it.

MR. DEPUTY-SPEAKER: The question is:

"That the Bill further to amend the Delhi Development Act, 1957 be taken into consideration."

The motion was adopted

MR. DEPUTY-SPEAKER: Now, we shall take up clause-by-clause consideration.

The question is:

"That clauses 2 to 4 and 1, the Enacting Formula and the Long Title stand part of the Bill"

The motion was adopted

Clauses 2 to 4 and 1, the Enacting Formula and the Long Title were added to the Bill.

SHRI H. K. L. BHAGAT: Sir, I beg to move:

"That the Bill be passed."

MR. DEPUTY-SPEAKER: The question is:

"That the Bill be passed".

The motion was adopted.

14.58 hrs.

SALES PROMOTION EMPLOYEES (CONDITIONS OF SERVICE) BILL, 1975

THE MINISTER OF LABOUR (SHRI RAGHUNATHA REDDY): Sir, with your kind permission, I beg to move: **

"That the Bill to regulate certain conditions of service of sales promotion employees in certain establishments, as passed by Rajya Sabha, Sabha, be taken into consideration."

Sir, as would be seen from the Statement of Objects and Reasons attached to the Sales Promotion Employees (Conditions of Service) Bill, 1975, the main purpose of the Bill is to give to the persons engaged in sales promotion the benefits under the various labour laws. At present, as a result of the Supreme Court judgement, these persons are not "workmen" under the Industrial Disputes Act, 1947. The medical representatives and other representatives of many associations of salesmen had been demanding for a long time that they should be covered under the Industrial Disputes Act!

*Moved with the recommendation of the President.

[Shri Raghunatha Reddy]

The Committee on Petitions of Rajya Sabha also supported their demand and came to the conclusion that the ends of social justice to this class of employees could be met only by suitably amending the definition of 'workmen' in the Industrial Disputes Act. The Committee also felt that other workers engaged in sales promotion should be similarly considered 'workmen'. I may recall Sir, that my distinguished predecessor, Shri Khadilkar, also assured the Lok Sabha on 3rd May 72 that when the Industrial Disputes Act was amended, a provision would be made to cover the medical representatives.

Keeping in view the justification of the demand of the sales promotion employees, and the recommendation made by the Committee on Petitions, and taking other relevant aspect for consideration, it is considered more appropriate to have a separate legislation for governing the conditions of sales promotion employees, instead of amending the Industrial Disputes Act, 1947 to bring such employees within its purview.

Though the Bill before the House is immediately applicable to the medical representatives, Government have also taken by way of a provision in the Bill to extend the provisions of the Bill to the sales representatives of any other industry or other undertaking or any other trade. Having regard to the merits of the case, steadily the provisions of this Act and benefits of the provisions of this legislation would be extended to other sales representatives also.

I would also take this opportunity, Sir, to impress thing upon the various pharmaceutical undertakings who, understand, are unfortunately indulging in such wrong process as harassing their representatives, terminating their services, retrenching some of them and dismissing some, all kinds

of wrong and unhealthy practices. I would apply to them not to indulge in such practices and not to create problems by way of retrenchment, lay-off, etc. I want to deal with these people as human beings and workmen not to resort to unfair labour practices.

With these words, I move this Bill for the consideration of this House.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to regulate certain conditions of service of sales promotion employees in certain establishments, as passed by Rajya Sabha, be taken into consideration."

श्री राघुनाथराव शास्त्री (पटना) : उपाध्यक्ष जी, सेल्स प्रमोशन एम्प्लाईज़, (कंडीशन्स प्राफ सर्विस) नामक जो विधेयक यहां प्रस्तुत किया गया है, मैं इसका समर्थन करता हूँ। लेकिन समर्थन करने का भलव यह नहीं समझा जाना चाहिए कि यह विधेयक सम्पूर्ण रूप में हमारे सामने भीजूद है। इसमें वही खमियां हैं, जिनकी तरफ मैं मंत्री महोदय का ध्यान आपकी मार्फत दिलाना चाहता हूँ।

यह विधेयक बहुत ही आनंदोलन, मेहनत और संघर्ष के बाद आया है। यह मूँहे मालूम है क्योंकि मैं इस तरह के आनंदोलनों से सम्बन्धित रहा हूँ। दवा उद्योग में काम करने वाले कर्मचारी, चाहे वे उत्पादन का काम करते हों, वितरण धर्मवा विक्री का काम करते हों, वे वस्तों से इस बात का संबंध कर रहे थे कि श्रीद्योगिक विवाद कानून, 1947 के मुताबिक उन्हें भी वर्कमैन माना जाये। इब तक वे नहीं माने गये थे। इस कानून के मुताबिक वे माने जायेंगे। इन सदन के माध्यम से बहुत सारे माननीय सदस्यों ने सभ्य-कृम्य पर इस सवाल को बार-बार

उठाया था। हमारा ऐसा अन्दाज था कि दवा उद्योग के मालिकों के दबाव में आकर सरकार इस विधेयक को पेश करने में हिचकिचाती रही थी। लेकिन अब मैं माननीय मंत्री जी को ग्रन्थयाद देना चाहता हूँ कि इस उद्योग में लगे हजारों कर्मचारी और इनकी समर्थक तमाम ट्रेड यूनियनों की भावनाओं को ध्यान में रखते हुए इन्होंने इस विधेयक को इस सदन के सम्मुख उपस्थित किया है।

लेकिन इस में एक कमी यह है कि केवल सेल्ज, विक्री, से सम्बन्धित कर्मचारियों को वर्कमैन माना जा रहा है, और इस दवा उद्योग में जो कर्मचारी उत्पादन यानी प्राइवेशन और वितरण यानी डिस्ट्रीब्यूशन का काम करते हैं, उन्हें इस बिल के परव्यू, दायरे, से बाहर रखा जा रहा है, जो मुनासिब नहीं है। दवा उद्योग में विक्री, उत्पादन और वितरण का काम करने वाले सभी कर्मचारियों को वर्कमैन माना जाना चाहिए। तभी हम लाखों कर्मचारियों की भावनाओं का आदर कर सकेंगे, उन की समस्याओं का समाधान कर सकेंगे और उन के लिए ठीक बेतन और छुट्टी आदि ट्रेड यूनियन कानून के मुताबिक मजदूरों को मिलने वाली सभी सुविधाग्राही की व्यवस्था कर सकेंगे।

इस बिल में यह सीमा रखी गई है कि 750 रुपये तनखाह पाने वाले कर्मचारियों को ही वर्कमैन माना जायेगा, और उससे ज्यादा तनखाह पाने वाले लोगों को इस बिल के दायरे से बाहर रखा गया है। मैं इस का विरोध करता हूँ। सरकार का यह दृष्टिकोण ठीक नहीं है। इस

से वह तमाम वर्किंग क्लास को संतुष्ट नहीं कर सकती है। आज महंगाई का जो आलम है, उस में 750 रुपये से अधिक तनखाहाह पाने वाले लोगों की स्थिति भी कैसी है, यह बात आप और हम से छिपी हुई नहीं है। इसलिए तनखाहाह की कोई वंदिश नहीं होनी चाहिए और उत्पादन, वितरण तथा विक्री के काम में लगे सभी कर्मचारियों को इस बिल का लाभ मिलना चाहिए।

इस बात को ध्यान में रखते हुए मैंने धारा 1(4) में यह संशोधन रखा है कि इस में जो ये शब्द हैं :

"It shall apply in the first instance to every establishment engaged in pharmaceutical industry",

इस में "फार्मास्युटिकल इण्डस्ट्री" शब्दों को हटा कर ये शब्द जोड़ दिए जायें :

"production, distribution and/or sales of drugs and pharmaceuticals partly or wholly."

इस संशोधन को मान लेने से तमाम कर्मचारी इस बिल के दायरे में आ जायेंगे।

धारा 2(ए) में कहा गया है।

"establishment" means an establishment engaged in pharmaceutical industry or in any notified industry.

मैं चाहता हूँ कि "फार्मास्युटिकल इण्डस्ट्री" और इन एनी नोटिफिकेशन इण्डस्ट्री को डिलीट कर दिया जाये और उस के स्थान पर ये शब्द जोड़ दिये जायें :

"production, distribution and/or sales of drugs and pharmaceuticals partly or wholly or in any other notified industry."

[श्री रामावतार शास्त्री]

मैंने ये संशोधन धाज सदरे दिये हैं। अगर आप इजाजत देंगे, तो मेरे इन संशोधनों को प्रस्तुत करने का अवसर मिल जायेगा।

इस के बाद मेरा संशोधन यह है कि धारा 2 (डी) के आधिकार में ये शब्द जोड़ दिये जायें :

"who draws wages and commission or both."

मैंने यह श्री संशोधन रखा है कि धारा 2 (डी) में भाग (i) और (ii) को छिपाकर दिया जाये।

MR. DEPUTY-SPEAKER: You know, there are three stages of the Bill.

You should speak on the amendments

You should not speak on the general principles. You should follow a certain order. When we come to the clauses, you should speak on them.

SHRI RAMAVATAR SHASTRI: I am speaking generally. I am expressing my opinions.

MR. DEPUTY-SPEAKER: No, no. Don't take clauses. Otherwise, the rules should be changed.

श्री रामावतार शास्त्री हमारा यह संशोधन है कि धारा 2 की उपधारा (डी) की (1) और (2) में जहां 750 रुपये का जिक्र है और माल में 9000 हैं, इन दोनों उपधाराओं को निकाल दिया जाय, तभी सही माने में इस से सेलम रेप्रेजेन्टिंग या इंडस्ट्री में काम करने वाले तमाम मजदूरों और तमाम कर्मचारियों का फायदा होगा। अगर इस तरह से रहेंगा तो उन में आपस में भगड़े होंगे। आप उनकी यूनियन को तोड़ने के लिए यह सरा इतजाम कर रहे हैं। ऐसा मत कीजिए। उन की यूनिटी को डिसर्ट मत कीजिए।

आप उन की यूनिटी से बदलते हैं। इसी लिए आप उस को डिसर्ट करने की रोकश कर रहे हैं।

SHRI DINEN BHATTACHARYYA (Serampore): Something unnatural has happened to-day.

MR. DEPUTY-SPEAKER: There is nothing unnatural. I think the Bills were very very well discussed, from both sides. As far as I am concerned, I am not going by the time; I am going by the business before me, by the relevance, by the purpose of the debate. If that is achieved other things are extraneous. I think we should emphasize on quality, rather than the quantity of time.

SHRI DINEN BHATTACHARYYA: This is a very important Bill. For a pretty a long time, the medical representatives were agitating that they should be covered by the Industrial Disputes Act and that all the privileges that are enjoyed under that Act should be given to them also. Last year, I know there was a big demonstration by the medical representatives coming from all over the country. They had also presented a memorandum and offered satyagraha in front of Parliament. A large number of them were arrested. They also submitted a petition to the Rajya Sabha which was discussed by the Petitions Committee there. On the basis of the recommendations of that Petitions Committee, this bill has been brought forward by the hon. Labour Minister. That is good, no doubt. But he has done it in a half-hearted way, as Mr. Shastri has already mentioned. Why should there be a wage limit of Rs. 750 beyond which it is said that this Act will not apply. I think this clause should be deleted. And some of the Members, including Members belonging to Mr. Reddy's party also, have given amendment for deletion of the restrictive clause. I think the Minister will be good enough to accept the amendment.

MR. DEPUTY SPEAKER: You are talking on clauses now.

SHRI DINEN BHATTACHARYYA: I am drawing his attention.

MR. DEPUTY SPEAKER: We will come to clauses.

SHRI DINEN BHATTACHARYYA: This aspect of the bill should have been dealt with by the authorities with more sympathy.

There are so many points which require thorough discussion, and more opportunity should have been given to Members.

MR. DEPUTY SPEAKER: I am not preventing anybody.

SHRI DINEN BHATTACHARYYA: You are not preventing, but when two hours were given to the two previous Bills, how could one expect that they would lapse in this way?

MR. DEPUTY SPEAKER: It is not lapsing. We have passed them.

SHRI DINEN BHATTACHARYYA: The coverage which is now only in respect of medical representatives should be extended to all others connected with the pharmaceutical industry and trade.

The term "representative" has also not been properly defined. There should be a proper definition, as otherwise it will give rise to many disputes and complications. Only the wage limit is given here, but it is not actually clear as to who will be called a medical representative, who will get all these benefits, whether those persons connected with any trade establishment of pharmaceutical goods will also be covered.

I know that in many cases they are getting commission, and there also the Bill has prescribed a limitation which

should be removed, because Government themselves have amended the definition of workers under the Industrial Disputes Act raising the salary to Rs. 1,000 and extending the benefits of ESI to other employees who are drawing more than Rs. 500. So, if Government really wants all persons connected with the sales of pharmaceutical products should be benefited, then this sort of limitations should be removed and the scope should be extended to cover all connected with this industry and trade.

It is good that this Bill has been brought forward, but the restrictions regarding commission should be withdrawn. It is provided here that they will get bonus according to the Bonus Act, but the Bonus Act is no longer there and has been replaced by an Ordinance.

MR. DEPUTY SPEAKER: That is a different question. It is a subject by itself.

SHRI DINEN BHATTACHARYYA: It is provided in a Clause here that they will get annual bonus as per the Bonus Act, and the Bonus Act has been thoroughly changed by an ordinance.

MR. DEPUTY SPEAKER: That Ordinance will come up for discussion. That is a different question.

SHRI DINEN BHATTACHARYYA: But what will be the fate of these persons covered by this Bill?

MR. DEPUTY SPEAKER: It will be applied as the Bonus Act stands.

SHRI DINEN BHATTACHARYYA:
 There are cases where there is an agreement regarding bonus. If by such agreements one gets more bonus such persons should not be deprived of the same.

There should be a provision that the medical representatives should get more bonus as per the agreement which might exist in any establishment and that should continue.

भी नरसिंह नारायण पाण्डेय (गोरखपुर)
 उपाध्यक्ष जी, पिछले सेशन में भी यह विदेयक विचार के लिये आया था और उस समय भी संलज प्रमोशन एम्प्लाइज के रिंजन्टेटिव ने माननीय श्रम मंत्री जी को अपना जारी दिया था। श्रीमत् आप जानते हैं कि हमारे देश में जो अपेक्षी कम्पनियां या जो विदेशी कम्पनियां हैं, दो तिहाई संलज प्रमोशन एम्प्लाइज उन्हीं कम्पनियों में भरती हैं, और वे लोग ही इस काम को करते हैं। उन समय यह शंका उठाई गई थी कि अगर कोई पे-रेस्ट्रक्शन रक्षी जायगी, जैसा कि इस में एनुप्रली 19 हजार रुपये का रक्षा गया है, अगर ऐसी लिमिट इस में रक्षी जायगी तो वे एम्प्लाइज जो विदेशी फर्मों के अन्दर ज्यादा तनावाह पा रहे हैं, आप के विदेयक से उन को नाम नहीं पहुंच रकेगा। मैं चाहता हूँ कि आप इस तरह की व्यवस्था करें कि जिस से वे भी वर्क मैन कम्पैनीजन एक्ट के अन्दर या इण्डस्ट्रीयल डिस्पूट्स एक्ट या वर्क मैन की फैक्ट्रीजन के अन्दर आ सके। यह शंका उस समय भी माननीय मंत्री जी के सामने उपस्थित की गई थी और कहा गया था कि इस सेशन में

इस बिल को पोस्टपैन कर के इस पर फिर से विचार करें और उनके रिंजन्टेटिव के वियूज को भी इस के अन्दर रखने की कोशिश करें।

लेकिन श्रीमत् अब जो बिल हम देख रहे हैं ऐसे लगता है कि इनको जल्दी में सदन के सामने ला कर रख दिया गया है और उन चीजों का, जिन का आभाव पिछले दिनों माननीय श्रम मंत्री जी को कराया गया था, महिकल रिंजन्टेटिव के द्वारा इस सदन के माननीय सदस्यों के द्वारा, उन के बारे में इस बिल के अन्दर कोई भी अधिकार नहीं आई है उन बातों के बारे में कोई भी मर्कूर नहीं हूँदा है। जससे माननीय मंत्री जी खुद जानते हैं कि इन नामाम विदेशी कम्पनियों के अन्दर जो संलज प्रमोशन एम्प्लाइज काम करते हैं, वे आज भी हजार-बाहर ही रूपये से ज्यादा तनावाह पाते हैं और उन की संख्या दो-तिहाई से भी ज्यादा है। अगर आप आकड़े उठा कर देखेंगे तो आप को मालूम होगा कि इस बिल की जो भावना है तबा जिस पुरीत कानून को दृष्टि में रखकर आप इस बिल को यहाँ लाये हैं— उस भावना का प्रतिकार इसमें नहीं हो पा रहा है।

मैं माननीय मंत्री जी से जानना चाहता हूँ— कि वे कृपा कर इस पर प्रकाश डालें कि विदेशी कम्पनियों में काम करने वाले एम्प्लाइज इस बिल की परिवारा में

कसे आते हैं। जब तक वह इस बिल की परिभाषा में नहीं आयेंगे तब तक इस बिल का भक्षण पूरा नहीं होगा। मैं चाहता हूँ कि आप इस के बारे में स्पष्टीकरण करें।

SHRI ERASMO DE SEQUEIRA (Marmagoa): Mr. Deputy-Speaker, Sir, I am sorry to have to say that this Bill is another good example of rather hasty and often *ad hoc* manner in which this Government used to work before the emergency and continues to work during the emergency.

As has been said by my friend who spoke earlier, this Bill has come in reply to a long outstanding demand of the employees of the pharmaceutical companies. It is very true that the employees of the pharmaceutical companies, who have, as you know, worked outside their office and in the field, have remained all these years outside the scope of Beneficial Labour Legislation, which applies to their colleagues who work inside the office. And it was as a result of this that this demand was made to Government and very often to Parliament. My question to the Government is whether these pharmaceutical employees are the only employees who work under such conditions.

We all know that every single company, every single partnership, every single proprietorship, in this country that has anything to do with selling requires precisely the same kind of employees as the sales promotion medical 'reps' as they are called in the pharmaceutical industry. These people work precisely under the same conditions as the medical 'reps' do. For example, you have the soap companies, you have the companies which sell baby milk powder and there are so many other companies.

15.25 hrs.

[MR. SPEAKER in the Chair]

There is one more thing which is also relevant here. I think, all of us will admit that in many ways the pharmaceutical companies are paying their employees better than other employees in the other sales promotion organisations that I am talking of. As a result of this, I would say, if the medical representatives require the protection of this beneficial legislation which all of us are in favour of, it is so much more necessary for the other employees who are working precisely under the same conditions, in the same business and doing the same job as the medical representatives do.

As I was saying earlier, this is a sort of *ad-hocism* that at all times creates problems in this country. Now, in one class of employees, you are going to create two classes when it was absolutely unnecessary. Why was it necessary for the Government to restrict this measure to the pharmaceutical industry? Then, in another clause, you give them the option of extending it to others. This only means that before bringing the Bill to this House and to the Rajya Sabha where it was previously passed, the Government did not take any time at all to go into the question to consider whether this was the only sort of class of employees who required protection. They have come forward before the House saying that they want to give this benefit to these people and let us decide who else should have it.

I would appeal to the hon. Minister across the well of the House—unfortunately, one gets a clear feeling that no appeals are heard either here or in courts—to please look into it even now. It is only a minor amendment that is required. Already, on p. 2:

[Shri Erasmo De Sequeira]

of the Bill, sub-clause (d), you have classified fairly clearly the sales promotion employee. You have already defined what is the type of person who should get this protection. Having done this, you have gone further and restricted it to only the employees of the pharmaceutical concerns. Our request to you is that you stick to the clause and remove the restriction. Let this Act, from the day it becomes law, apply to all those who work in sales promotion.

Another point is about the restriction that has been placed on the emoluments upto which this measure should apply. We all know that the figure that has been mentioned here in the Bill comes from another Act which was passed many years ago in which the restriction was placed. Through the mismanagement of the country, since that figure was put into law—it is this Government which is responsible for the mismanagement—this figure of Rs. 750 has very much depreciated and its value today is very much less. So, I would request the hon. Minister that this fact should be taken into consideration. All of us, in the last two-three years have been saying that labour legislation should apply at least up to a limit of Rs. 1000. In my opinion, this is also inadequate. I do not think there is any reason why a welfare legislation should stop at a particular salary level. If there are employees who are doing the same job and get Rs. 1200 or whatever it is, why should they not get the benefit? For this reason, I say, the Government even now can have a look at this. Now that an opportunity is being given to it,—I believe, by the clock,—at 3.30 P.M. we take up the other business, the Private Members' Business—the Government should have another look at it and, I hope, they

will come forward before the House to extend the measure to other employees also.

MR. SPEAKER: We will now take up Private Members' Business.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

FIFTY-SEVENTH REPORT

SHRI P. M. MEHTA (Bhavnagar): I beg to move:

"That this House do agree with the Fifty-seventh Report of the Committee on Private Members' Bills and Resolutions presented to House on the 7th January, 1976."

MR. SPEAKER: The question is:

"That this House do agree with the Fifty-seventh Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 7th January, 1976."

The motion was adopted.

MR. SPEAKER: Now, Bills to be introduced.

**CONSTITUTION (AMENDMENT)
BILL***

(Amendment of articles 74 and 163)

SHRI C. K. CHANDRAPPAN (Tellicherry): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

SHRI C. K. CHANDRAPPAN: Sir, I introduce the Bill.

**CONSTITUTION (AMENDMENT)
BILL***

(Insertion of new article 342A)

SHRI C. K. CHANDRAPPAN (Telli-cherry): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India".

The motion was adopted.

SHRI C. K. CHANDRAPPAN: Sir, I introduce the Bill.

**CONSTITUTION (AMENDMENT)
BILL***

(Amendment of article 324)

SHRI C. K. CHANDRAPPAN (Telli-cherry): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

SHRI C. K. CHANDRAPPAN: I introduce the Bill.

**CONSTITUTION (AMENDMENT)
BILL***

(Amendment of articles 81 and 82)

SHRI C. K. CHANDRAPPAN (Telli-cherry): I beg to move for leave to

introduce a Bill further to amend the Constitution of India.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

SHRI C. K. CHANDRAPPAN: I introduce the Bill.

ADVOCATES (AMENDMENT) BILL

(Amendment of Section 24)

SHRI SAKTI KUMAR SARKAR (Joynagar): I beg to move for leave to introduce a Bill further to amend the Advocates Act, 1961.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill further to amend the Advocates Act, 1961".

The motion was adopted.

SHRI SAKTI KUMAR SARKAR: Sir, I introduce the Bill.

**COMPULSORY ADULT EDUCATION
BILL***

SHRI C. K. CHANDRAPPAN (Telli-cherry): I beg to move for leave to introduce a Bill to provide for funds and facilities, and to set up necessary bodies to ensure compulsory adult education in India.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for funds and facilities, and to set up necessary bodies to ensure compulsory adult education in India."

*Published in Gazette of India Extraordinary Part II, Section 2, dated 9-1-76.

The motion was adopted.

SHRI C. K. CHANDRAPPAN: I introduce the Bill.

CHILDREN, STUDENTS AND YOUTH (RIGHTS AND WELFARE) BILL*

SHRI C. K. CHANDRAPPAN (Telli-cherry): I beg to move for leave to introduce a Bill to provide for the establishment of a Board to safeguard the rights of children, students and youth, to look after their welfare and to levy a cess and for matters connected therewith.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for the establishment of a Board to safeguard the rights of children, students and youth, to look after their welfare and to levy a cess and for matters connected therewith".

The motion was adopted.

SHRI C. K. CHANDRAPPAN: I introduce the Bill.

15.33 hrs.

MAINTENANCE OF INTERNAL SECURITY (REPEAL) BILL*

SHRI ERASMO DE SEQUEIRA (Marmegoa): I beg to move for leave to introduce a Bill to repeal the Maintenance of Internal Security Act, 1971.

MR. SPEAKER: The question is:

"That leave be granted to introduce a Bill to repeal the Maintenance of Internal Security Act, 1971".

SHRI AMRIT NAHATA (Barmer): I have an objection at this stage.

MR. SPEAKER: I cannot allow it.

SHRI AMRIT NAHATA: It is on other grounds. It is beyond the jurisdiction of the House to consider it. I will explain.

MR. SPEAKER: You should have given prior notice.

The question is:

"That leave be granted to introduce a Bill to repeal the Maintenance of Internal Security Act, 1971."

The motion was adopted.

SHRI ERASMON DE SEQUEIRA: I introduce the Bill.

CONSTITUTION (AMENDMENT) BILL*

(Amendment on Article 80 and omission of Fourth Schedule)

by Shri Dinesh Chandra Goswamy

MR. SPEAKER: Now we will take up further consideration of the following motion moved by Shri Dinesh Chandra Goswami on the 2nd May, 1975:

"That the Bill further to amend the Constitution of India, be taken into consideration."

Shri Goswami was already on his legs. He has taken five minutes; he may continue.

SHRI DINESH CHANDRA GOSWAMI (Gauhati): Sir, on the last day, I only began my speech and, therefore, I think, I should start afresh.

The Bill which I have brought may be a sensitive one which wants to amend Article 80 of the Constitution of India with omission of Fourth Schedule. Article 80 deals with the

with the recommendation of the President.

*Published in Gazette of India Extraordinary Part II, Section 2, dated 9.1.76. †Introduced

Council of States and the allocation of seats in the Council of States in accordance with the provisions contained in the Fourth Schedule. On the basis of population, different number of seats have been allocated to different States. The whole purpose of my amendment is that instead of different number of seats being allocated to different States, the Council of States should have equal representation from all States irrespective of the size of population and as such, I have suggested that ten representatives from each State may be there in the Council of States and three each from the Union Territories retaining the existing provision of nomination of twelve Members by the President because of their distinguished service to the country. This House has debated in the past on various occasions various aspects of Rajya Sabha and views have been expressed by very many persons that Rajya Sabha to a certain extent has no function to perform and, therefore, it should be abolished. Views have also been expressed in this House that the election to Rajya Sabha should be direct one, but these are, more or less, matters out of the scope of present amendment and I will leave them out except referring to these whenever I feel that this becomes relevant for the purpose of discussion of the amendment which I have sought for.

Sir, in spite of the fact that there is strong debate going round the whole world as to the necessity of the second chamber, yet the fact remains that all the leading countries of the world, and more particularly, the federal countries have bicameral legislature, except New Zealand which abolished its second chamber in 1951. Except New Zealand all other important countries have got the second chamber though there is a famous saying of one of the revolutionary thinkers of the 18th century, who said: "If the second chamber dissents from the first, it is mischievous, if it agrees with the first, it is superfluous." I do not go to that extent

and I feel that the second chamber may have many important functions to perform in the parliamentary democracy of a country, provided it becomes effective in its composition and also in regard to its powers. What are the functions of the second chamber primarily? One of the function is, the function of revision. That means, the second chamber is composed of more experienced and aged persons, though the Law Minister, who is opposing this or looking after the Government interests today does not appear to be very elderly person inspite of the fact that he comes from the 2nd chamber. Whatever it is, it is said that the second chamber is composed of experienced and elderly persons and that itself is an asset. But I feel that this argument has lost much of its relevance today with the growth of the party system. When a party brings a Bill in the House, whether it comes from the Opposition or the ruling party, all aspects of the Bill are considered at the party level, and therefore, whenever it is brought, it has got a certain amount of previous and thorough study, and as such I do not see much of a purpose even if a Bill is gone through in two chambers instead of one.

It is also said that some time becomes available between the consideration of the Bill in the Rajya Sabha and the Lok Sabha and it provides an opportunity for a national consensus to emerge on important issues. I think, to a certain extent that has also become irrelevant because the national consensus in important issues are formed even before a Bill is brought before a House because the mass media provides enough opportunity for the debate.

The third is that because in the Lok Sabha or the first Chamber often the members are guided by sentiments, debates become more passionate and in the Upper House as the Members do not have the fear of facing the electorate, it becomes more reasonable.

[Shri Dinesh Chandra Goswami]

It may be so because in the last two years at least, we will have to concede that in so far as the Lok Sabha debates are concerned—I do not say that these debates lacked in merit—but at least these debates were more passionate than the debates in the upper House.

The fourth and the more important functions that the Upper House performs is that it suppresses the centrifugal forces and affords an opportunity to the States to have their say in national legislation and in fact in the debates in the Constituent Assembly, this aspect was put with great emphasis by Mr. Gopalaswamy Ayyangar. A second Chamber is essential in a federal structure because the House of People being the representative of the people, obviously the people will have their say there, but the States also should have a say of their own in a democratic constitution and the Rajya Sabha, being a Council of States, obviously the States will have a say and, in our Constitution, we have recognised the importance of the voice of the States because certain constitutional amendments cannot go through unless they are passed by the majority of the States. Therefore, in our democracy people are the main criteria but the opinion of the majority of the States on important issues is also an important factor.

Whether this aspect will be properly fulfilled by the Rajya Sabha will be dependent to a great extent on the composition and the powers which the Rajya Sabha—and I will try to examine its existing powers and composition—has in comparison with some of the other Second Chambers that we have in the world to-day. For example, the most powerful Second Chamber in the world to-day, everyone will have to agree, is the Senate of the United States. The Senate Members are directly elected. Their powers are, also much wider because

the Senate possesses the power of even vetoing treaties which are agreed upon by the President. Ratification by the Senate is necessary before a treaty comes into force and until now more than 60 treaties have been vetoed by the Senate. In the United States Senate each State is represented by two Members irrespective of its size and population. Now, let us look to another federal country, Australia. There the Senate is not as powerful as that of the USA. There 60 Senators are there and they are elected, ten each from the six States. Therefore, irrespective of the size of the population, uniformity is maintained there also of all the States. Same is the case in Switzerland also where each State has two members. So also in the case of Soviet Russia where in spite of the divergence and composition of the population and the area, 25 deputies are there from each Republic. The only country where this principle is not followed is Canada and we are following to a certain extent that pattern. In Canada 120 members are nominated by the Governor-General and 4 Provinces have 24 Members each and other Provinces have got varying number of members with a minimum of 4. We have, to a certain extent followed the pattern of Canada and Eire because we have accepted the principle of both nomination and indirect election and also the principle of not having uniform representation. Our principle has been to provide one representative for every five million of the population and one for every additional two million or part thereof. Why I am objecting and asking for an amendment and asking this House to consider the necessity of changing the present structure, I will just now come to that.

In the House of the People, obviously the House being representatives of the people, the populous States will have more representatives. Nobody can deny it and that should be the first and basic principle. But,

unless there is another Chamber where the smaller States may feel that they are not overwhelmed by the populous States, I think to a certain extent a situation may arise some day when the smaller States may feel that their problems are not being discussed in the proper perspective as it should be discussed. For example, to-day in the Rajya Sabha we find that 7 States alone command a majority in the Rajya Sabha out of the 25 States (including Union Territories). 11 States have 180 seats while 14 States have only 45 seats. 14 States totally have 45 seats whereas 11 States have 186 seats. It is not that these 14 States do not have their own problems. They have many diverse and complex problems but they may not get an opportunity of expressing their viewpoint in an effective manner because they may be overwhelmed by the strength of the other major States. Obviously, at this moment I will concede that not only the quantity but quality also counts. But in a democracy the number also counts very much. Nobody can deny and in fact this is one of the reasons probably which prompted all other federal democratic countries like the United States, U.S.S.R. and Switzerland to have uniformity of the numbers representing their States. In the United States we find that the Senate and House of Representatives try to strike a balance of conflicting interests through different compositions conflicting with one another. For example, in the United States we find that they have got eight farming States like Iowa, Kansas, Minnesota and these States have 47 representatives in the House of Representatives whereas there are industrial States like Illinois, Ohio, New Jersey, the number of their representatives in the House of Representatives is 174. In the House of Representatives the disparity is there. The industrial States may have a dominating voice and much more time may be taken in discussing the industrial matters. But that has been balanced in the Upper

House. In the Upper House the farming States have 16 representatives whereas the industrial States have 14 representatives. It indicates that in the case of conflicting interests which is natural in a big country like India, if there is uniformity of the representations from different States, the disparity of a particular viewpoint to a certain extent reduces and that is why I feel, we should have also a fresh view as to whether the composition of the Rajya Sabha should be changed because of this first principle alone.

Secondly, the Constitution has recognised in our own country the equality of all States irrespective of its size and its population and we say that the Rajya Sabha is a Council of States. Should not this equality be reflected in the composition of the Rajya Sabha also? If all the States are equal, should they not have equal representation in the Upper Chamber? If you do not give them equal representation, can I not come and say, theoretically you have given me equal status, but in practical field you have not provided me an opportunity to express that equal status because so far as numbers are concerned in Parliament both the things do count. Theoretically I am equal but in practically, I am in minority, that is what I feel. When the Constitution has laid down the principle of equality of States, I feel that that should be reflected in the Upper House of the Rajya Sabha. That can be reflected by treating all the States equally. I am not for a moment saying that populous States should not have a predominant voice in the House of the People. There these States have the greatest degree of representation. But when we have made Rajya Sabha, the Council of States, if we make the Council of States and the House of the People the same in composition are we not almost making the powers and functions of both the House the same?

[Shri Dinesh Chandra Goswami]

What distinction can be there that one is representative of States and the other the representative of the people if the composition is almost same in principle? Can you say that for representation of a particular body you will treat every State differently? I have come before the House not in order to give more representation to any particular State, not to curtail representation of other States but on the basis of certain principles. May I pose another aspect of the matter? Today both in the House of the People and in the Rajya Sabha, many complex matters are to be discussed. Many of us do not know the complexities of particular regions. Some such States are represented by only a couple of Members in Lok Sabha and Rajya Sabha. We ourselves know the difficulties of getting sufficient time for speaking in Debates. I know the difficulties of getting time from my Whip Mr. Mahajan to speak and if any Member wants to speak on all subjects he cannot do that, he will not be permitted. I know that today if I want to speak on a particular subject, that requires certain amount of expertise, certain amount of study and so on. Would it be possible for a member who may be the sole representative in this House or the other House to project effectively the problems of his State in the House? I can tell you that in some matters the complexities of States represented by smaller number of people are more than the complexities of more populous States. UP is a most populous State; we know much more about UP than, for example, some of the remotest corners of our country. And if you want debates to be meaningful and effective, don't you feel that more members coming from a particular region must be given opportunities to express their view points? If States are given adequate number of representatives, although these members may not be able to project the views in the House of the People, but in the other House they will be able to

project their views and those views naturally will be reflected in this House also. This is another reason why I have thought it necessary to bring this measure. This is a very sensitive matter. I am not saying that my view point is the last view point or the only correct view point. But I thought that when we are talking about constitutional changes, a debate should take place on many aspects, and this is one aspect to which I thought I could draw the attention of the House. And I do hope that hon. Members will examine this view point not from any sensitive point of view, but from a rational point of view in which I have tried to place my whole case before you.

MR. SPEAKER: Motion moved:

"That the Bill further to amend the Constitution of India, be taken into consideration."

Mr. Daga, are you moving your amendment?

SHRI M. C. DAGA (Pali): Yes, Sir. I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 7th May, 1976." (1)

May I say something, Sir?

MR. SPEAKER: Yes.

श्री मुख्य सचिव डागा : अध्यक्ष महोदय मन्त्रे यह मालम लगा है कि श्रीमी हमारे श्री डी सी गोस्वामी अमेरिका हो कर आए हैं। तो वह एक बात सीख कर आए हैं। वहां से मिनेट की बान कई महीने तक वहां रहे तो उन्होंने सोचा कि आसाम के केवल छ: आदमी हैं, आसाम के, हिमाचल प्रदेश के और हरयाणे के वही भेजवर होने चाहिये जो उत्तर प्रदेश के होने दें। उन्हें मालम तो जकर है कि उत्तर प्रदेश के 7 करोड़ आदमी हैं और हरयाणे के 1 करोड़ कुछ

आदमी है। उन्होने एक बात और कही। वहे प्रिसिपल्स की बात कर रहे थे। मेरे च्याल से हाफ हाटेंडली आरग्यमेंट कर रहे थे लेकिन चला रहे थे इस बात को।

जब पार्लमेंट का मेम्बर कोई बनता है तो मैं नहीं समझता वह केवल राजस्थान की बात करता है, केवल एक स्थान का ही प्रतिनिधित्व करता है। मेम्बर बनने के बाद वह रारे हिन्दुस्तान को एक नजर से देखता है। मैं नहीं समझता गोस्वामी जी यहां पर केवल आमाम की ही बात करेंगे। जो और बैकवड़ रीजन है उनकी बात भी वह यहां पर रहेंगे। कांस्टीट्यूशन के अन्तर्गत लोकसभा न तो लोबर हाउस है और न राज्य सभा अपर हाउस है। यह तो हमने उनके न.म रख दिए हैं। इसके प्रलापा यहां पर आज एक नयी बात हुई। इस हाउस के मेम्बर श्री चन्द्रप्पन ने भूमि किया है कि राज्य सभा को एवं निश कर दिया जाये उनका यह विल है। कांस्टीट्यूशन अमेन्डमेंट करने के लिये जो बाते चल रही है उसमें भी वह अपना अमेन्डमेंट रख लेंगे। मैं कई बार कह चुका हूँ कि अगर राज्यसभा को एक बड़ा हाउस बनाया जाये, उसमें जितने उत्तर प्रदेश के मेम्बर रहा तो उतने ही दूसरे छोटे छोटे राज्यों के भी हो तो वह कितना बड़ा हाउस हो जायगा। आज तो हिन्दुस्तान के किसी भाग से जो पार्लमेंट का मेम्बर बनता है वह हिन्दुस्तान के सारे राज्यों की बातें कह सकता है, उसके लिए किसी तरह की कोई मुमानियत नहीं है।

15.55 hrs.

[Shri G. VISWANATHAN in the Chair].

हमारे मानवीय सदस्य ने अपने बिल के आज्जेक्स एंड रीजन्स में जो कहा है वह इस प्रकार है :

"True and proper representation is never possible if the States are represented in unequal numbers..."

लेकिन क्या प्रिसिपल्स ले आउट किए हैं। कुछ नहीं। अगर 20.25 मेम्बर ज्यादा हो जाये तो कोई बात नहीं है लेकिन मैं समझता हूँ कोई भी मेम्बर अच्छी तरह से किसी भी राज्य की बात रख सकता है। ऐसी हालत में मैं समझता हूँ ऐसी बात कहना जिसकी हम कल्पना नहीं कर सकते हैं, जो प्रैक्टिकल नहीं है, जो हमारे लिए संभव नहीं है, ठीक नहीं है। जब विज्ञान बना था उस समय की सारी प्रोसीडिंग्स आप पढ़ेंगे तो आपको मालम होगा कि इस बात पर बड़ी चर्चा होने के बाद उन्होंने मुनामिब ममझा कि माइटिस्ट्स, आर्टिस्ट्स, लिटेरेचर जानने वाले—उसे लोगों को उसमें रखा जाये। आर्टिकल 80 के अन्तर्गत शायद 12 इस प्रकार के सदस्यों को गवर्नरमेंट नामिनेट कर सकती है। लेकिन यह जो प्रयोजन लेकर आप आये हैं कि लोकसभा और राज्य सभा का रिप्रेजेन्टेशन बराबर हो उसके लिए आपने बड़ा हिन्दूस्तान टाइम चुना है बरोकि सारे लोग संविधान में रह जाएं बदल करना चाहते हैं इसलिये आपने भी अमेन्डमेंट दे दिया। मैं चाहता हूँ अभी इसको पब्लिक ओपीनियन के लिए सकुलेट किया जाये और इसका प्रचार किया जाय। हम कोई कानून यहां पलियामेंट में नहीं बना सकेंगे जब तक हमारे 58 करोड़ लोगों की जानकारी न हो जाय, उन की राय न ले सी जाये कि इस कानून में तबदीली करनी हैं या नहीं। आज हमारी यह नीति है कि जब हमें संविधान में संशोधन करना है तो हमें हिन्दुस्तान के तमाम लोगों की राय जाननी है। इसी लिये मैंने यह अमेन्डमेंट रखा हूँ कि सारे हिन्दुस्तान की राय जानी जाय। आज जब एक हवा सारे देश में बन रही है कि संविधान में संशोधन किया जाय तो श्री गोस्वामी का वह प्लाइट भी उस में आना चाहिये।

[श्री मूलचन्द डागा]

16 hrs.

श्री गोस्वामी ने जो अमेरिकेन्ट पैश किया है—असल में यह अमरीका की हवा का असर है, वे वहां दो महीने रह आये हैं, इस लिये वहां की बातें उन के दिमाग में बुझ गई हैं।

SHRI DINESH CHANDRA GOSWAMI: I have given you the example of Switzerland.

श्री मूल चन्द डागा : आप पहिये, वहां पर भी अंग्रेजेटेशन और पोपुलेशन का सबाल है। आप ने जो किताबें ले रखी हैं, जरा उन को पढ़िये लेकिन समाप्ति जी़ में तो यह राय दूंगा कि वे इस बिल को बापस ले लें।

SHRI P. G. MAVALANKAR (Ahmedabad): Mr. Chairman, Sir, I welcome Mr. Goswami's Bill which seeks to ensure a more equal representation and a fairer representation to various States of our Indian Union, and I welcome it because it gives to us all some chance to do loud thinking on the floor of this august House about certain aspects of our Constitution and its working.

I am glad that Shri Goswami mentioned various illustrations from different countries, and he did not restrict himself to USA only. He has referred to many other federal constitutions of the world. He has also said in so many words that the problem is bound to be considered as very sensitive, and perhaps explosive too, and, therefore, I hope the House gives dispassionate consideration to the whole matter. What does he want? He wants certain equal representation of the States in the Rajya Sabha, but the main question is, do we really commit ourselves to bicameral legislature? Mr. Daga referred to the Bill sought to be moved by Mr. Chandrappan in which he wants the second chamber to be completely abolished. I can understand that extreme also, but if you have a federal structure then I do not

see how you can escape having two chambers. If you have the federal structure, bicameralism becomes indispensable because at the federal level the Parliament will have to consist of two houses—one representing the entire country on the basis of population and directly elected, and another representing the States which are very much part and parcel of the whole federal scheme. Therefore, as long as we have a federation, bicameralism is a must and a question of abolition of Rajya Sabha would be out of consideration. Having said so, let me go to the original point and ask this question. Does bicameral legislature really serve the purpose for which, at least theoretically, it is meant? Theoretically the idea is this; if you have two chambers, then the lower house, being elected directly, consist of people with passions, fury and enthusiasm and they may in a hurry talk something, decide something and legislate something which may not be right and good. Therefore, there must be a second chamber to review, reconsider and check, the haste, the hurry, the rashness and the enthusiasm of the Lower House. George Washington, one of the founding fathers of America and his associates were talking about bicameralism, because they were also concerned about it at the Philadelphia Convention in 1787, and even before that, between 1776 and 1787. One of the stories going round about it was this. He had a guest at tea. The question was asked, 'Why do you want a second chamber?' Tea was being served in the cup. But it was too hot to drink. So from the cup he poured some tea into the saucer, and said, 'The first chamber, the popularly elected House is the cup and the second chamber is the saucer. You pour the tea from the cup in to the saucer; now it has cooled down, and you can drink the tea'.

The idea, therefore, basically was that the second chamber stops the arbitrariness, the absoluteness, of the Lower House; it corrects the first chamber, it improves upon the first

chamber. But this is all academic and theoretical, because as things go in all democracies of any type where there are free and fair elections and representative bodies, you will find that the second chamber hardly improves on the first, because the party system is there and the chambers work through the mechanism of political parties. What happens is that almost every subject, every discussion, every legislation, every resolution or debate that takes place in the first House is repeated in the other House. In any discussion that takes place on any subject, there are the same arguments, the same lines of defence, the same lines of attack, and there are hardly any additional or new points made in the second chamber. It is almost a repetition of what is said in the first chamber.

Moreover, having two chambers, the other problem that arises is, what happens when there is a deadlock. When the second chamber does not agree with the first or vice versa, whose decision will prevail? Naturally, you will have to say that the will of the larger body must prevail, which means the House which is directly elected by the people, which is the Lower House.

SHRI ERASMO DE SEQUEIRA (Marmagoa): Not necessarily.

SHRI AMRIT NAHATA (Barmer): There is provision for a joint sitting.

SHRI P. G. MAVALANKAR: I know. I agree that there is such a provision. But with the mechanism of the party system as it is and with the strength of the Lower House being what it is—it will be 545 now—and the Upper House having only 250 members, if we have a joint sitting, the built-in majority in the Lower House is still there and this majority plus the majority party's own strength in the Upper House put together will mean the same thing. So, it is only a kind of contrivance of the Constitution that if the two Houses do not agree, there

must be a joint session and the joint session will decide. Wha does it ultimately mean? It means that even when you have a bicameral legislature, one of the chambers must lead and the other must follow. In all parliamentary democracies—I am not talking of the presidential type that exists in America—wherever there are two chambers, inevitably, by the logic of things, by the very reality of political events, by the operation of the party mechanism, the Lower House. I do not say dictates but certainly leads, and the Upper House has to follow.

Therefore, perhaps the Lower House pleases the Upper House by saying that it consists of elders, wiser people, statesmen, experienced people, more mature people...

SHRI ERASMO DE SEQUEIRA: There the average age is lower than that in this House.

SHRI P. G. MAVALANKAR: They say, 'Look here...'

SHRI AMRIT NAHATA: You mean this is the Lok Sabha and that is the 'Parlok' Sabha?

SHRI P. G. MAVALANKAR: I am using the phraseology Lower House and Upper House. The Lower House will say, 'You are all experienced, and very knowledgeable persons, and your chamber has in it some retired Generals, retired administrators, retired politicians etc. and, therefore, you give us the benefit of your guidance, experience and advice, but ultimately agree to what we say!' Even in this built-in system, on all financial matters, it is only the Lower House, the popularly elected House which has got the full monopoly of doing everything. This is so with regard to the Finance Bills. If the Speaker of the Lower House certifies that a particular Bill is a Money Bill, the matter ends there. That is what the Constitution says.

I am saying all this because this debate also gives us a chance to open out some wider issues, namely, whether

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we want a second chamber or not. I feel that whether it is a unitary or a federal state, if we have a bicameral system, we must accept the fact that one will have to lead the other. Otherwise, there will be deadlock. No constitution can deliberately create a deadlock situation. So, it cannot be allowed. Of course, if occasionally there is a deadlock, the Lower House's decision will prevail through this built-in majority system which is there in our own Constitution.

Having said that, I come to some further points. What does my friend Mr. Goswami want? He wants that each State must have in the Rajya Sabha ten seats and the Union Territories must each have three seats. If a Union Territory becomes a State of the Indian Federation, from three that number will then jump to ten automatically, I suppose. That is the proposal which he has made. That is a step in the right direction, in the sense that India is a federation; our constitution-makers have said that India, that is Bharat, is a Union of States. That means the States must have a say at the federal level and the States' authorities are co-ordinate with the federal authorities in many matters. I think his move is a step in the right direction because it restores at least to a small extent one important principle of federalism, namely, equality of states irrespective of their size and population in terms of their status and their rights. In America we find that a small State like the Rhode Island or Kentucky or Ohio has fewer seats in the federal House of Representatives in Washington DC and states like New York or California have a large number of seats on the basis of their population. But in the Senate of the American Congress there are two representatives from each State, irrespective of their size or population, because the principle of federalism is that all states are equal in their status, powers and rights.

The constitution-makers thought of India as a federal state. But in so many constitutional provisions in the structure, they have in the end made it not a strictly or a genuinely federal State. In the end what you get is an Indian Federal Structure which is neither completely unitary—you cannot obviously do it—nor completely federal, because they could not afford to do it in the context of the Indian conditions of those days. Therefore, they came to this kind of a golden mean, a golden *via media* whereby as Professor K. C. Wheare says, the Indian Constitution has provided a quasi federal structure. We have a federal authority and we have State Governments, but these State Governments are more dependent on the Centre in India, compared to the American Scene.

Having said that, I want to ask Mr. Goswami one question; do you or do you not want a genuine federal structure? If we are going to have a genuine federal structure in our constitutional set-up then what my friend Mr. Goswami suggests is a step in the right direction, because today the States are in many respects at the mercy of the Centre. In respect of concurrent powers the State law does not prevail; the union law prevails over the state laws. The residuary powers are entirely with the federal government. Matters of finance are entirely with the federal government. Matters of foreign affairs or defence, they are with the federal government; you cannot have ten different foreign policies and financial policies. Even in America, the States are on the losing side. Ever since the Philadelphia Convention which was held in 1787, through these last nearly 200 years, the experience of the American constitutional and political pundits and also of enlightened individuals is that the Centre is becoming more and more powerful and the States are constantly losing their rights. In our new constitutional scheme, if we are able to restore India to a more genuinely and

more properly worked out federal structure, Mr. Goswami's Bill is certainly a step in the right direction, because the States, irrespective of their size and population, must have equality of status in the Constitution. But that is not going to be achieved merely by giving 10 seats to each State in the Council of States. The important thing is that the States will have to be given other rights like financial viability, independent economic authority and genuine autonomy in their respective territories. I want India to become a genuine federation. A country of this size and diversity can never be a unitary State. It has to be federal, and if that is so, let it be a genuinely federal State. But that purpose, Mr. Goswami will, I am sure, agree that he will have to bring another Bill—or some other private member like myself will have to do it,—giving the States other rights like financial viability, genuine autonomy, etc.

SHRI ERASMO DE SEQUEIRA: Sir, this is private members' day and it pains me that so many of our leading private members like Shri Jyotirmoy Bosu, Shri Vajpayee, Shri S. N. Mishra, our two Madhus, Shri Piloo Modi, Shri Janeswar Mishra and others are absent from the House.

MR. CHAIRMAN: That is not relevant to the Bill.

SHRI ERASMO DE SEQUEIRA: It is relevant because this is a private member's Constitution (Amendment) Bill on which every one of these gentlemen would have had something very significant to say. I am sorry they are not here, not because they do not want to be here, but because they have been held without trial under the misused MISA. All the same, I am happy that this Bill has come before the House, because at a time when Parliament itself is being made, in my opinion, more and more irrelevant by executive action, here is an hon. member of the Congress Party coming forward with a Bill towards making one of the Houses of Parliament more

relevant. I trust, if I may say so, he will not in any manner be made uncomfortable in his party swimming against the tide, as our colleague Shri Ram Dhan had been a little earlier. Sir, as Mr. Goswami rightly pointed out, many of the problems of the States are problems of the States themselves and they apply in equal measure to U.P. as they apply to Nagaland. Therefore, there is a lot in what he is saying that the voicing of these problems is distinct from the problem of the people themselves. Fortunately, of course, all problems are problems of the people. There are many problems which are problems of the State itself.

I am one with Mr. Goswami where he says that equal representation in Upper Chamber will certainly lead to a greater balance of the voices that emerge from the House to the people if these voices are ever allowed to re-emerge. Right now they are grossly interrupted by the Chief Censor of the Government.

There is one thing where I am in disagreement with Mr. Goswami and that is about the representation to Union territories. There I am in disagreement with the very concept of Union territories because Union territories today have the very same structure, incur the same expenditure as the States and I do not see any reason why they should not be turned into States. As you know, I represent a Union Territory, a constituency from Goa. When I go to the Central Government and say that my Government which is mis-ruling even more than this Government if it is at all possible, is doing something wrong, they say, talk to the State Government. When I talk to the State Government, they say, it is Union Territory and they cannot do it. When I go to Goa, they say that the papers are struck up in the Home Ministry. Therefore, I am saying that turn them into States because they have the entire structure of the State and they

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will exactly cost as much as they cost and no less.

He was talking about the relevance of Parliament. There are one or two issues here. One of them was mentioned by Mr. Goswami and that is the question of whip. I know that a bill before it comes to the House is supposed to be discussed in the Party. We all know it is not. It is a few who decide and a whip who carries it through the House. In these circumstances, I submit to the representatives of the Government here that one particular law and one particular article that we should look at is the West German Basic Law. In that law it is very specifically provided and it has happened after the Weimar Constitution went the way ours is going, that no member shall be bound by any order or instruction and shall be bound only by his own conscience. The Whip is prohibited in their Constitution.

Sir, we are looking at the country from the top down. My feeling is that if we wish democracy to be strengthened in this country and we wish a position where nobody will ever touch if which is not the position today—it is being touched and destroyed by a very few people—then we must make our Panchayats work. We must make Panchayats a constitutional institution. We must ensure that revenue accrues directly to Panchayats and we must make a regular monthly People's Sabha in the Panchayats, something which must be held just like the Parliament session used to be held. Then, you will involve the people in the democracy and they will have stake in the democracy and they will see that none of us ever temper with it.

Another point I wish to make is that we are at the end of our term.

Our mandate is running out. There is nothing wrong in our debating a major measure for, in my opinion, we do not have any more right to decide on it; because, if we continue in this House beyond 18th March, or whatever the date is—that is what it says on my railway pass—then we shall be riding here as ticketless travellers. There is no getting away from this fact. If this Government plans to postpone elections, I can only think of one reason—I will borrow the expression Mr. Goswami had used, but not in the same context, in fairness to him—fear of the electorate. Thank you.

MR. CHAIRMAN: Mr. Amrit Nahata.

SHRI AMRIT NAHATA (Barmer): I entirely agree with Mr. Mavalankar that a bicameral legislature is a 'must' in a federal constitution. But having said that, Mr. Mavalankar went on to contradict himself. The justification for a second chamber that he gave later on, is not the justification for federal bicameralism, but one for a unitary bicameralism. In the U.K., for example, the philosophy behind the two chambers is that the House of Commons is represented by Tom the drunk; and the House of Lords is represented by Tom the sober. They thought that the representatives directly elected by the people would be heady, impassioned, restless, headless, romantic, running for change and inspired by flights of fancies. So, they needed some check and some restraint, so that the Upper House was given revisionary powers to exercise a check of age, experience, wisdom and sobriety. That was the justification for the Upper House in the U.K. We have not accepted that basis of bicameralism in our country. There are no 'commons' and no 'lords' in this country. We are all commons'. There are no plebeians and patricians. We have people and we do not divide representatives of the people into heady and romantic on the one hand

and sober, experienced, wise and old men on the other, who would act as correctives over the Lower House. That philosophy we have not accepted. We introduced the second chamber because we had States and a Union in this country. The founding fathers of our Constitution provided for a House of the People where for the sake of convenience, Members would be elected from different constituencies and yet each Member would represent the entire people of the country. Though I have been elected from a particular constituency in Western Rajasthan, I am not supposed to represent only that constituency. I am supposed to represent the entire people of India. Each one of us in this august House represents the entire people of India. The Rajya Sabha, as the very name denotes, the Council of States, as the very name denotes, represents the different States of India; and that is why the Members of that House are elected by the State legislatures. They represent their States. So, the theoretical basis for the two chambers in our Parliament is that we have a Central Government and the State Governments; the Members of the Lok Sabha and of Rajya Sabha. In common parlance we may call them the Lower House and the Upper House; but that is not a correct, scientific or constitutional terminology. We have the House of the People and the House of the States. So, the Members in the other House represent their respective States. This is true as far as it goes, but here again, Mr. Mavalankar was getting confused. We are not a strictly federal State or a federal republic. In a strictly federal republic, it is not only bicameralism which is inevitable, but the Upper House is, of necessity, more powerful than the Lower House. For example, in the United States, the Senate has the real power. Nobody knows even the names of the important Members of the House of Representatives. It is almost a non-entity, but the Senate has all

the powers. What happened to President Wilson and many other Presidents? The Senate has refused to ratify many treaties. They have quasi-judicial and quasi-investigative powers, and that is why some extra-constitutional practices have evolved known as Senatorial courtesy. In order to win over the support of the Senators, the President gives certain concessions legally or behind the curtain and somehow he manages to placate the Senate. So, the upper chamber in a Federation is far more powerful than the lower one. Is that the intention of the Mover of this Bill? I hope it is not.

That brings us to the question of the type of Republic that we have. Mr. Mavalankar very correctly said that we have a quasi-federal type of State or Republic in this country. We are not a Federation, we are a Union Republic. The main purpose of the founders of the Constitution was to strike a balance between unity and diversity. I know, Mr. Chairman, that you would definitely have reservations about my views because I know the views of your party, and, therefore, I pray for some indulgence from you.

A federation is a system in which the constituent States are almost sovereign or at least autonomous. Very few powers are vested in the Federal Government. Here we do not have that system. Owing to certain historical and political conditions, we wanted to maintain the diversity the richness, the variety of our land and yet remain a nation. We were a nation long ago, we are a nation today and we shall continue to be a nation. Therefore, the emphasis is greater on unity in our Constitution than on diversity. Our Constitution seeks to strike a balance between unity and diversity, and that is why we have three Lists, two of which are under the Centre, because the Concurrent List for all practical purposes is a Central List. The Union

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List and the Concurrent List are for the Centre and the State List is for the States. The residuary powers are also with the Centre.

Not only that. In actual practice, though law and order is a State subject, the Central Reserve Police is the most powerful police in this country. Though agriculture is a State subject, the Agriculture Ministry is the greatest empire in Delhi. Though education is a State subject, the Education Ministry's Advisers and its various institutions in India are the most powerful instruments in the field of education. So, even where the subjects are in the State List, the Union has to play a very important role in laying down policies, in co-ordinating the efforts of the States and in providing research programmes and plans. The very fact that planning is centralised means that our Constitution lays much greater emphasis on the powers of the Centre than those of the States. I think the framers of the Constitution were very wise in this.

I am not for total unitarism as the Jana Sangh used to be. They want one Centre, one State, one flag, one leader. That is not my approach at all. We do want the States to flourish, we do want the diversity, the richness, the variety and the multi-coloured garden that our great land is in which various flowers bloom to be retained, and yet we should not weaken the thread of unity and nationalism that unites us, and that is why the spirit behind our Constitution which is a quasi-federal State having greater emphasis on unity than on diversity is a correct and wise approach. Having come to this, what happens? It is true that since we have States, they must be represented in a Chamber. Now, the doubt that Mr. Mavalankar has raised would be raised by everybody, because party system has eroded the relevance, the

validity and the constitutional reasons in support of bicameralism even in the United States of America. Lincoln had to wage a civil war, but that was in a different context. But in federal States, States have the freedom to cede also. States voluntarily join. States have the right to cede also—strictly federal structure of the States. Many States have joined in the United States of America..

MR. CHAIRMAN: That is the confederation.

SHRI AMRIT NAHATA: No. They were even in a federation. More States have joined in the United States of America. Originally, there were 13 States. But today there are 51.

MR. CHAIRMAN: 50.

SHRI AMRIT NAHATA: It continues to be a federation and not a confederation.

What my dear friend Mr. Goswami concludes is between quality and autonomy or equality and sovereignty. It is true that our States are equal in the sense that they all enjoy the same power. There is a separate list for them. They have legislatures though some States are more equal than others. I have not been able to understand the rationale of bicameralism in States. I am all for abolishing the second Chamber in the States. There is no justification for it, because we have not accepted syndicalism in our Constitution. But that apart, to what happened in the United Nations at the time of Bangla Desh crisis. I would like to draw your attention. 80 votes went against us in the General Assembly. The population of those 80 countries was less than the number of refugees that had entered our land, because there, each member being a sovereign State

has one vote, irrespective of the population.

Do we want to introduce that principle in our country or that sovereignty or that autonomy? Do we want our States to be that autonomous? The logic behind having equal representation from the States would lead to the implication that the Upper House has got to be more powerful than the Lower House, that the States have the right to cede; and in actual practice, let us come to the realities that are obtainable in our country today. It would definitely encourage fissiparous tendencies. There would be a clamour for more and more and smaller and smaller States in this land. I cannot understand the logic. People say that Haryana is a small State, but look at the progress it has made. Orissa is a smaller State than Haryana, but it is one of the most backward States. What is the size to do with the growth or the economic development or the efficiency of the administration? It has nothing to do with that.

And that is why, I think, the present arrangement in the Constitution, as far as the Upper House is concerned, or the Rajya Sabha is concerned, is, as it should be. Then there may be some other changes that one may think. But that is altogether a different pattern, because I want some kind of a quasi-judicial body within the Parliament having revisionary powers over the Constitution. I do not want judiciary, as it is, to act as the third Chamber of correction and sitting in judgment over the wisdom of the representatives of the people. If we make the Constitution, we are the watch-dogs and the people of India are the watch-dogs of the Constitution. If we amend the Constitution, that is final. If somebody raised a doubt about the amendment of the Constitution or about the *vires* of a particular law,

whether a particular legislation passed by us is within the Constitution or *ultra-vires* of the Constitution, he should not be a body to decide it. Let there be something like they are having in the House of Lords or something like that.

We may conceive of some such body in the Rajya Sabha or we may have some experts or people of knowledge of jurisprudence from both Houses who may decide whether a particular law passed by us or being considered by us is within the *vires* of the Constitution or *ultra-vires* of the Constitution; whether a particular amendment of the Constitution is justified or not. I would like some such type of amendment in the powers of the Rajya Sabha, adding certain things to Rajya Sabha and bridging and reducing the powers of the judiciary.

As far as the reviews of the Constitution are concerned, there, I would support such an amendment. But to change the composition of the Rajya Sabha considering the autonomy of the States and having equal representation in number would not solve any problem; it may create many anomalies. There may be a State having three Members in the Lok Sabha and ten Members in the Rajya Sabha. There may be State having two Members in the Lok Sabha and ten Members in the Rajya Sabha. A very strange situation would develop. This could be consistent only with a totally federal type of State where also, every time, the sovereignty or the autonomy or the paramountcy, whatever you may call, of the State is gradually eroded. Though there are different federal laws and State laws in the United States, still such are the realities of life that even though, when the Constitution of the USA was framed, different States had different historical background, different dialects, different economies, and they thought it was a voluntary union of so many

[*Shri Amrit Nahata*]

States, now they have also emerged and evolved into one nation. There is the American nation now. That is why, of necessity, the federalism has gradually eroded and unitarism is gaining ground. It is inevitable in a country like ours, where there is the supreme need of strengthening the feeling of emotional integration, of nationhood, it is essential that the present character of our Constitution, a quasi-federal character with greater emphasis on unitarism must be retained. That is why I submit that there is no need for introducing any change in the composition of the Rajya Sabha.

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SEYID MUHAMMAD): Mr. Chairman, Sir, I am very thankful to my hon. colleague, Mr. Goswami, for having made a very enlightened and illuminating speech on the Bill and the various issues involved. There was a considerable discussion on the merits and demerits of bicameral legislature. I must thank various hon. Members for the very learned and profound discussion which they have had here in this House today. While thanking them for that, I must say, since that question was not an issue before the House, I will not waste the valuable time of the House by replying to that.

In the Statement of Objects and reasons of the Bill, Mr. Goswami has stated that equal representation is the main object of federalism or something to that effect. While agreeing that that is one of the purposes or one of the objectives, I cannot agree that that is the sole objective or the purpose. Considerable discussion has taken place amongst the constitutional pundits; essays have been written; books have been written about this question. While conceding to what Mr. Goswami has said that it is one of

the purposes, the modern trend seems to be, as one of the constitutional writers has said, that it is not the equality of the States that is the main purpose but, what he calls, it is the essence of Statehood that is the main purpose. Stated as such, it may sound as a sort of metaphysical proposition. But it is not.

What is meant by that statement is that in view of the diversity in a State, the various interests in a State, the various sections of the people which constitute a State, it is the representation of sum-total of the essence of Statehood that is represented in the Upper House. I think, there is much to be said on that.

Sir, I was going through the discussion that took place in the Constituent Assembly about article 80 which was then, I think, article 336. Except Shri K. T. Shah, nobody referred to this aspect of the matter because, it seems, there was a consensus that the second aspect of the problem which I quoted, as discussed by constitutional writers, it is the essence of Statehood, namely, representation of the various interests, diverse people, diverse cultural and other aspects, which is the purpose of the representation in the Upper House. Consequentially, except Mr. K. T. Shah, nobody mentioned even the question of equal representation of States. The main emphasis was on whether there was necessity for a bicameral legislature and, on these lines, we have had an excellent treatment of the subject today in this House.

So, that being the position, the Constitution makers deliberated upon that and the Constitutional Pandits and the fathers who drafted the Constitution ultimately, weighing the two aspects of the matter whether equal representation was the essence of statehood, came to the conclusion that the principle of equal representation is what is called the essence of statehood.

So, it is a debatable point and I agree to that extent. But what is now before us is an amendment of the Constitution. An amendment of the Constitution, I need not stress, cannot be treated lightly. Unless there are compelling reasons we should leave the Constitution or whichever provision is concerned for the time being, as it is. If you have compelling reasons, we may have it. But in areas of debatable positions, where much can be said on both sides, we should not tamper with the Constitution.

In that spirit, while I admit that Mr. Goswami's Bill represents one point of view, I would request him to bear it in mind that unless we have some compelling reasons, we should not tamper with the provisions of the Constitution in Article 80. So, while appreciating his point of view I would very humbly request him, for the reasons stated, to kindly withdraw his Bill from further consideration by the House.

SHRI DINESH CHANDRA GOSWAMI: Mr. Chairman, Sir, at the outset I wish to express my sincerest thanks to all the Members and the Minister of State for Law for their participation in this debate, and I take this opportunity of congratulating Dr. Seyid Muhammad for what I consider his maiden appearance in a debate in this House after taking over the charge of the Ministry. When I started this debate, you must have noticed that I spoke in a very low key. I spoke in a low key because I was apprehensive that, as my amendments are to curtail the number of Members of some States, passion may be roused and, if passion is roused, the purpose of the discussion would be lost. I am happy that members approached the debate dispassionately and calmly and, in fact, we had a very good discussion, as I see it, on all points.

Mr. Sequerira supported me. He criticised the Whip system and I understand why he has criticised. Because it appears that the Whip of his

Party did not permit him to speak in the Presidential Address debate. Therefore, what he could not speak in the Presidential Address debate he tried to speak here and though most of what he said had no relevance to the subject matter except referring to my Bill once his whole speech was on other subjects and I think I need not reply to them because this morning the Prime Minister has replied to all the points and, during the debate on the Presidential address, there was enough discussion on these points.

Mr. Mavalankar has supported me but, as an extremely intelligent Member of the House, he has tried to give in a subtle way, a very different political overtone to it. He said that the Bill should be the first step for increasing the power of the States. I beg to differ from him so far as this is concerned, because I feel that in a country like ours with so many diversities and centrifugal forces, there must be a strong centre and one of the essences or basic features of the reason for which bicameralism is encouraged is to keep a check on the centrifugal forces. My own view point was—on which Mr. Amrit Nahata has differed through an illuminating speech—that if only some of the States are given too much representation, they may upset the balance at some point of time. For example, in a House where there are eleven States with a representation of 186 and fourteen States with only 45, the views of the 45 from 14 States, though they are more in number, may be upset by those of these eleven States. Shri Daga spoke that populous States should have more representation. I am not denying that; in fact, in this House, it would always be so. But on the question whether Rajya Sabha should have it there is undoubtedly a difference of opinion; I had a particular view and I thought, the House should discuss it. Well, different views have been expressed by other Members. It is also true that amendment of the Constitution should not be treated

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lightly and as Dr. Seyid Muhammad said that at the present moment, there is no compelling reason for this amendment and when in fact a debate has started on different constitutional amendments, a debate of this nature serves my purpose and therefore in keeping with his request, I beg to move for leave to withdraw the Constitution (Amendment) Bill.

MR. CHAIRMAN: There is one amendment by Shri M. C. Daga that has already been moved. I will put this amendment to the vote of the House.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, it would be a futile exercise if an amendment is to be moved in respect of a Bill which is to be withdrawn. This is my submission.

MR. CHAIRMAN: I would like to draw the attention of the Minister, that when an amendment is moved, it has to be put to the vote of the House.

SHRI AMRIT NAHATA: On a point of order. When an amendment is moved that has always to be voted first, but where the mover of the Bill seeks the leave of the House...

MR. CHAIRMAN: It comes later.

SHRI AMRIT NAHATA: When the leave to withdraw is refused, only then amendments come.

SHRI P. G. MAVALANKAR: My point of order is different. I agree that the amendments should come first, but since the mover is not there, why have his amendment put before the House. We do not know, whether he is pressing for it or not.

MR. CHAIRMAN: Once the amendment is moved, it becomes the property of the House. We have to take a decision.

The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 7th May, 1976." (1)

The amendment was negatived

MR. CHAIRMAN: The question is:

"That leave be granted to withdraw the Constitution (Amendment) Bill."

The motion was adopted

SHRI DINESH CHANDRA GO-SWAMI: Sir, I withdraw the Bill.

MR. CHAIRMAN: Shri Naval Kishore Sharma is not moving Item 10, so we will take up next item.

CONSTITUTION (AMENDMENT) BILL

(Amendment of Articles 22, 32 etc.)

SHRI DINEN BHATTACHARYYA (Serampore): Sir, I beg to move:

"That the Bill further to amend the Constitution of India, be taken into consideration."

Sir, my Bill was introduced about three years back. However, the purpose for and the urgency with which the Bill was moved is more now than it was at that time. Now, we are under Emergency. The first part is very clear in the Bill. It is rather a shame on our part that still the Constitution should provide for provisions for making laws to detain a person without trial for any length of time. Now the situation has become worse than it was before and even the little scope that was there to go to the Court and challenge the validity of retention order has been snatched away by the emergency provisions and even to-day a notification has been issued that whatever little scope

there was under Article 19 of the Constitution, has been taken away and nobody can now approach the court.

When I move this Bill, the purpose is that under Article 22 sub-section (1) and (2) you are giving some protection for a detained and/or an arrested person. There the Constitution provides the protection that he has to be produced before a Magistrate and reason has to be given for his arrest. That has been taken out by Sections (b) and (c) of the same Article. Now, in the present context situation is completely otherwise and a detaining authority has no obligation to give any reason for arresting and detaining a person. When the President's Address was debated and as such there was almost unanimity on the side of the Opposition that the emergency should be lifted, all the persons, especially Members of Parliament who have been detained without trial, should be released forthwith and other restrictions that are there on the political Parties and people and the Press censorship should not for any moment continue. The situation is not such that the authority has to take recourse to this draconian measure. My point is very simple and it is more important now that the Government even at this moment should give its attention to the realities when the alleged reasons for which the emergency has been imposed are really not there. It has no reality and basis whatever. This morning while intervening in the debate on President's Address, the Prime Minister tried to explain that had there been no emergency, we would have to face a very serious catastrophe so far as our national interest are concerned. That is not at all a fact. This power has been taken only to keep the ruling Party in power as long as it wants, in any manner as it suits them. That is why this emergency has been imposed

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and by my amendment I wanted to change the provision in the original constitution for the reason that there should not be any provision in the Constitution to detain any person without trial. Exception may be there in case of a person who is an alien and enemy of the country. That is my first contention.

Next is: many things have been said now that emergency has given enough power to the authority so far as land distribution is concerned. Here is a specific amendment—where there is a dispute for any land which is under the occupation of a poor and landless peasant and which has been given to him out of the vested lands by the Government, there should not be any scope on the part of the landlord to go to the court—High Court or the Supreme Court. I know thousands of cases took place in our State in which such lands were distributed. During the United Front Government's time, I know more than 3 lakhs acres of land were distributed to the poor peasants and to the landless, but subsequently it was found that the land which was distributed or taken possession of by the landless was owned not by a real landlord but was in benami and in most cases vested land. In a large number of these cases, so-called landlords and their Benamdar approached the Court and injunction was granted and the land was snatched from the persons to whom the land was distributed. My point is in case of any land dispute, that should never be brought under the purview or jurisdiction of either the High Court or the Supreme Court and that amendment suggested in the Bill must be provided in the Constitution.

—
17 hrs.

Even after the emergency you will find so many cases filed by landlords against the burgadars, the share croppers who were cultivating as share croppers for a long time. The

[Shri Dinen Bhattacharyya]

landlords go to the court to harass them. My point is very simple. I think the Minister will also be of the same view that if he is serious that the landless be given the land which has been vested in the Government or the land which is being occupied illegally by the landlord either in his own name or benami, in that case there should not be any scope on the part of the landlord to take the help of the court to continue keeping illegal possession of the land. It is happening daily that even the share croppers are being put to harrassment and very often murdered by the landlords. Share-cropper spends money and anyhow cultivates the land and when the harvesting season comes, the landlord sends goondas and with the help of local police and the district authorities who always stand in support of the landlord, the share croppers are deprived of the crops that they cultivate. I know of many cases in the eastern part of India where harvesting is going on and no protection is being given to the tillers of land which they are occupying and which they cultivated as recipients of vested lands. This thing should be taken note of by the Government. This loop-hole should be plugged in the Constitution. I am glad that our hon. Minister Shri Raghunatha Reddy is here. Hundreds of cases are there. Under the provisions of Article 311, if somebody is to be dismissed, he should be given the reasons for which he is dismissed. He should be given sufficient scope to disprove the alleged charges. He must be given such a chance of hearing and reinstatement. Now, what we find is that if the Government is pleased or if the President is pleased, then, he can dismiss any person without assigning any reason, without giving chance to the aggrieved person to defend himself. So, I have brought forward this amendment to delete the

portion that deals with blanket powers not only during emergency but in any time. Government can dismiss any railway employees any Government employees. This has taken place actually. Even now I know 15 employees working under West Bengal Government were detained under MISA. While in detention, the Governor then expressed his pleasure that they be dismissed under Article 311 of the Constitution from service without assigning any reasons. What are the allegations? What are the charges? They do not know at all. There is no scope under this Article to go to the Court. Whatever scope was their earlier has now been completely taken away. Some of these dismissed employees met our Home Minister and others. They asked: What is our fault? Somebody might have been their for 20 years or 15 years. What was their fault? Nothing. No indiscipline and no corruption charges were there. In the same way, in Tripura, more than 21 employees were suspended and dismissed under this proviso.

In almost all the States you will find this thing. I know that in Madhya Pradesh and in Maharashtra also the services of the employees serving in Government undertakings or government establishments have been terminated under this provision of this Act.

I want a radical change the provision contained in the Constitution. Under emergency your purpose is to see that the landless people get the lands. Look at the amendment that I have proposed to section 4. You say that the situation is such that such and such a person must not be allowed to continue in service and in many cases they are served with dismissal orders under Article 311 of the Constitution. I say this is unfair and you have no right to treat the employees in this manner who had not committed any offence or who have acted in any way against the interests of

the country as well as Government. In many cases—at least I know about West Bengal—in the West Bengal because they have formed an association and because they demanded that there should not be any discrimination in the case of promotions, and they demanded justice, for that only Government could not bring any charge against them and so they took recourse to this obvious provision in the Constitution and wrongfully dismissed. There are specific cases pending with Government and in some cases I know that even after the court gave its verdict that the dismissals were wrong the concerned employees were not allowed to work in the railways. What should have been done in these cases? Not only in those cases but in the cases of a similar nature which were not taken to the court the Government should have reinstated them forthwith.

The purpose of my amendment to the Constitution is this. You guarantee the right to the landless who gets the land from Government that he will not be evicted by any court of law. There should not be any provision in the Constitution giving such blanket powers either to the Governor or to anybody to dismiss anybody without giving him a chance or without showing any reason for his dismissal or without giving him any chance to defend himself.

So, these are the points on which in nutshell I bring this amendment and, I hope, that the Minister will agree with me and amend the Constitution in that way and the House will accept it. With these words I conclude.

MR. CHAIRMAN: Motion moved:

"That the Bill further to amend the Constitution of India, be taken into consideration."

SHRI N. K. P. SALVE (Betul): Mr. Chairman, Sir, I did not have the slightest intention to participating in

this debate until I heard the hon'ble mover of this Constitution amendment Bill, Shri Bhattacharyya coming out with his exceedingly pet theories in support of this Bill. Only then I thought I might clarify some of the points as to whether or not the Bill as it is drafted would take care and achieve the results and objectives which he seeks to achieve. This is a different matter and I will not go into it for I do not suppose Shri Bhattacharyya is a constitutional lawyer.

Sir, let us try to analyse and appreciate the reasons as expostulated by Shri Bhattacharyya and see whether those reasons are at all tenable and valid for this sort of measure here to be brought in the House at this juncture. Articles 22, 32, 226 and 311 of the Constitution are sought to be amended by this Bill.

So far as Article 22 is concerned the Article deals generally with the protection afforded to the citizens against arrest and detention and it is sine quanon in case of detention and arrest in this clause 2 of the same Article, that the person who is so arrested has to be produced before the Magistrate within twenty-four hours. The exception has been enumerated in clause 3 of the same Article, namely, unless it is a person who is arrested or detained under any law providing for preventive detention.

The mover of this Bill seeks for deletion of this category from the Constitution itself which is an exception to the general rule which governs detention in this country or in any civilised society, so that no person according to him—if the Bill is passed—should ever be detained for preventive detention as such, that every person must be produced before the magistrate. Then, only one category remains, that is, unless the person so detained according to him is an enemy or an alien. No Indian should be detained as such.

[Shri N. K. P. Salve]

There is a considerable irony that a Marxist member has come to fight for the liberties of individuals in this country. (Interruptions).

Marxists according to him are always fighting for the liberties of the individual only in the countries where democracy is permissive and soft I wish the Marxists fight for the liberties of the people where it needs to be fought. They will not fight because they cannot fight in the land of Uncle and Father.

Be that as it may, my respectful submission, Sir, is that I am one of those people who consider that the period of the last six months in this country has been a golden era, a period in which the nation has come out of frustration, disappointment and exasperation. One of the main reasons why we have been able to do so is that we have been able to use this weapon of detention very effectively and efficaciously. Had this been done earlier, things would have been much different.

The Mover of the Bill has not confined to leaving out people to be detained because detentions are for purposes of economic offences, social offences and many other offences.

SHRI DINEN BHATTACHARYYA: There are laws. You can bring them to trial. Why don't you do it?...

SHRI N. K. P. SALVE: The difficulty is that the Marxist member does not seem to have a proper idea of the legal system which exists in a democratic society. In a democratic society, if it was so easily possible, the USA would have got rid of Mafia, the UK would have got rid of many other illegal organisations. They could not do so. At any rate whatever they wanted to do with their illegal organisations, if we are not able to get rid of Anand Margis, RSS and many other people who have been creating havoc

in this country. I fail to understand how long are we going to allow a situation where the entire society, and the vulnerable sections of it is held to ransom because of the nefarious activities of these people whom we cannot get penalised before counts of law. How many times the counts have come up and laid down reasons, which the courts are certainly entitled to go into and said that the topmost smugglers must be let out, that the topmost politicians who have done havoc to the country—I do not want to name them at this moment—they too could not even be chased or arrested or if arrested they had to be left free into the society again? In this country, had we not reached a stage where a clarion call had been given for resorting not to the methods of satyagraha but to blatant, unconstitutional means, the means of violence, lawlessness, disorder and chaos? If such people had been arrested, I think the provision it has only been a great boon. The provision has been mercifully used by Government to eradicate such people and to isolate them from the masses. What is the effective media of isolating these extremely dangerous and pernicious elements in the political circle from the masses except detention? If the Marxists think that democracy should be made softer than what it has been, that it should be made more permissive than what it has been they are tragically mistaken. I wish to assure them that this country will never go back to what it was before 25th June. It will only go ahead of it because like Phoenix it is a new country arising whatever you may talk....

SHRI DINEN BHATTACHARYYA: It is your day now.

SHRI N. K. P. SALVE: It is not a question or it being my day. The country is now..

SHRI DINEN BHATTACHARYYA:
K. K. Birla and others.

SHRI N. K. P. SALVE: Mr. Bhattacharyya, Mr. Birla and others feed people like you who want to nurse their cause..

SHRI DINEN BHATTACHARYYA:
No. no.

SHRI N. K. P. SALVE: People like us who have some urge, some convictions in life to live up to are different from people like you who are the people who can be bought by them, and they have been bought right, left and centre, as you have been bought. They are a set of people who are devoid of all principles in life, people who used to propagate total revolution. Today they have said 'We are agreeable to supporting the 20-point programme'. Tomorrow they will support anything else.

SHRI DINEN BHATTACHARYYA:
No, no...

SHRI N. K. P. SALVE: We do not take them seriously.

SHRI DINEN BHATTACHARYYA:
What do you know of total revolution....

SHRI N. K. P. SALVE: Please sit down. I am not yielding. These are the people who have been isolated from the masses.

SHRI DINEN BHATTACHARYYA:
Who said that?

SHRI N. K. P. SALVE: They will not be elected tomorrow. In West Bengal when they came to power, what happened? Why did you not preach all this wisdom which you are now preaching to our Ministers to Jyoti Basu? They had worked havoc and terror there. The violence that was

unleashed in West Bengal when his party was ruling is something which will go down in the annals of the history of our country as the biggest single blow to democracy in this country..

SHRI DINEN BHATTACHARYYA:
It is a lie.

SHRI N. K. P. SALVE: You can talk any nonsense here, if one wants to as was done sometime ago.

Therefore, in all fairness, I agree with the spirit of what is stated in clauses 3 and 4. The powers and authority of the Supreme Court and the High Courts shall have to be drastically controlled. It is not merely with reference to state acquisition etc., but also with regard to various other matters. It is utterly imperative that we should have a comprehensive review of the power and authority of the High Courts and the Supreme Court. I do ardently hope that some day the High Courts and the Supreme Court will be debarred from reviewing these matters which are referred to in clauses 3 and 4 of this Bill. I certainly in spirit support what has been stated there, though for entirely different reasons, nor for the reason given by Shri Bhattacharyya.

There is a proverb in Marathi which says that however stupid a child may be, if it is said a right thing, we have got to accept that. Only in that sense, I accept that. With these words I conclude my speech.

SHRI DINESH JOARDER (Malda):
Mr. Chairman, the purpose of the Bill is to guarantee the right and privileges of the weaker sections of the people who form 80-85 per cent of the population of our country, the rights of the peasantry, working class, people who are working in government as well as other establishments.

[Shri Dinesh Joarder]

to guarantee their right to work and earn a livelihood and also to guarantee civil liberties and democratic rights to the citizens of our country.

THE MINISTER OF WORKS AND HOUSING AND PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): There is a meeting at 5.30 in my room to which I have invited some Members of the Opposition also.

If you are so good to adjourn the House, we shall be happy.

MR. CHAIRMAN: I think that is the pleasure of the House. The House stands adjourned till 11 a.m. on Monday.

17.30 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Monday, January 12, 1976/Pausa 22, 1897 (Saka).